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NO. 1

In the Justice's Court of the Third Township,

County of Fresno State of California.

Geo. Mathiesen
Plaintiff

vs.

Peter Rasmus and
Jane Doe Rasmus his wife
Defendant

Action on a note

Demand, $

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Dec. 23 1891	Complaint filed and summons issued and delivered to Geo. Mathiesen Constable (W. H. Harris deputy)
" 26	Summons returned and filed showing personal service by the Officer on the defendant W. R. Wood of a copy of the summons attached to a copy of the complaint in the 5th Township of Fresno County on Dec. 24, 1891
"	Writ of attachment returned & filed showing levy.
" 26	Summons returned & filed showing personal service by the Officer on the defendant Geo. Mathiesen of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Dec. 23, 1891
"	The above action this day dismissed on motion of plaintiff and costs paid.

David R. Prince,
Justice of the Peace

Rec'd Dec. 24 1891 By evan
Geo. Mathiesen

2

NO. 2

In the Justice's Court of the Third Township,

County of Fresno State of California.

M. Lambert Plaintiff vs. W. R. Wood Defendant	Action on a note Demand, $ 264 22/100 D. M. Seaton Attorney for Plaintiff Attorney for Defendant

Rec'd Justice fees from Plff. $1.00

DATE.	PROCEEDINGS.
1891 Dec. 23	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Jno. McAthron Constable (W. H. Harris deputy)

Rec'd Justice fees from Plff. $1.00

NO. 3

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. Vargelas and John Marie Vargelas doing business under the firm name and style of the French Bakery — Plaintiff

vs.

Gasparich Bros. — Defendant

Nature of Action for bread furnished

Demand, $ 100 22/100

A. Vargelas — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 24	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Geo. Matthews Constable.
" "	Summons served, returned and filed.
Jan 4	Writ of attachment returned & filed.

Rec'd from Justice Fee from Plff. $10.50

4

NO. 4

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Overlattle — Plaintiff

vs.

L. Lopozich & Bro — Defendant

Action for goods & moneys sold

Demand, $42.25/100

J. E. Overlattle in person — Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 26	Complaint and affidavit and instructions for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Geo. Alexander Constable, (W. H. Harris deputy)
30	Summons returned and filed showing personal service by the officer of a copy of the summons attached to a copy of the complaint on L. Lopozich on Dec. 26, 1891; and a copy of the summons on the defendant Ben Lopozich on Dec. 30, 1891 in the 3rd Township of Fresno County.
"	Writ of attachment returned & filed.

Rec'd from Justice for Service

NO. 5

In the Justice's Court of the Third Township,

County of Fresno State of California.

Big Jim — Plaintiff

vs.

Hank Haun — Defendant

Action for work & labor done

Demand, $ 41 20/100

L. J. Hinds — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 26	Complaint filed and summons issued and delivered to Geo. Mattoon Constable.
Jan 17	Summons returned and filed showing personal service by the Sheriff on the defendant Hank Haun of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan 15, 1892.

6

NO. 6

In the Justice's Court of the Third Township,

County of Fresno State of California.

Mrs. E. J. Bernhard and P. H. Monaghan — Plaintiff

vs.

H. H. Welsh and E. F. Bernhard — Defendant

Action for Judgment

Demand, $ 75 00/100

E. D. Edwards — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 26	Complaint filed and summons issued and delivered to Jas. Matheson Constable.
" 28	Summons returned and filed showing personal service by the officer on the defendant H. H. Welsh of a copy of the summons and on the defendant E. F. Bernhard a copy of said summons attached to a copy of the complaint, in the 3rd Township of Fresno County on Dec. 28, 1891
1892 Jan. 2	Defendants enter a general demurrer (oral) to plaintiffs' complaint.
" 4	The above demurrer set for argument on Jan. 7, 1892 at 10 A. M. and the parties at interest notified thereof.
7	Defendants' demurrer is this day submitted to the Court without argument and is by the Court overruled.
"	Defendants this day enter a general denial (oral) to plaintiffs' complaint.
9	The above action set for trial on Jan 14, 1892 at 9.30 A.M. and the parties at interest notified thereof.
" 14	Parties at interest present and motion made by defendant E. F. Bernhard for a continuance. Motion granted and the above action continued until Jan. 15, 92 at 1 P.M.
" 15	A subpoena for a witness for the plaintiffs this day issued, served, returned and filed.
" "	At the hour set the plaintiff P. H. Monaghan is present with his attorney E. D. Edwards, Esq. and announces himself ready for trial. The defendants not being present the Court waits one hour for their appearance and the said defendants not appearing although duly notified of the hour of trial, the Court orders plaintiffs to proceed with their case. Whereupon P. H. Monaghan and E. D. Edwards are sworn and testify in behalf plaintiffs. There being no further testimony to offer the Court finds for the plaintiffs. And judgment is rendered and entered in favor of the plaintiffs

(Continued on next page)

Rec'd Constable's fees herein this 20th day of Feb. 1892 Jas. Matheson

Right Honorable

NO. 7

7

In the Justice's Court of the Third Township,

County of Fresno State of California.

E. J. Sanford Plaintiff

vs.

Vogel

Defendant

Action for work & labor done

Demand, $ 5-00/100

E. J. Sanford in person
Attorney for ~~Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec 28	Complaint filed and summons issued and delivered to J. S. Ashman Constable. (C. H. Walton, deputy)
1892 Jan 2	Summons returned and filed showing personal service by the officer on the defendant Jacob Vogel of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on the 28th 1891.
"	Defendant this day enters a general denial (oral) to plaintiff's complaint.
6	The above action set for trial on Jan. 9, 1892 at 1.30 P.M. and the parties at interest notified thereof.
8	The above action this day dismissed on motion of plaintiff and costs paid

Dante R. Prince,
Justice of the Peace.

Rec'd Summons & Complaint herein.
E. J. Sanford
Plaintiff in person

Mrs. E. J. Bernhard & P. H. Monaghan } Continued from opposite page
vs.
H. H. Welch & C. F. Bernhard

Mrs. E. J. Bernhard and P. H. Monaghan and against the defendants H. H. Welch and C. F. Bernhard for the sum of Seventy five Dollars debt and further sum of Nine and 55/100 Dollars costs of suit.

Total judgment $84.55/100

Justice fee $5.75
Constable fee 3.80
9.55

Done in open Court Jan 15, 1892

Dante R. Prince,
Justice of the Peace

Jan 1892	15	Defendants granted a stay of execution for ten days.
"	25	Defendant granted a further stay of execution for ten days.
Feb.	4	The above judgment this day satisfied in full and all costs paid.

Dante R. Prince

8

NO. 8

In the Justice's Court of the Third Township,

County of Fresno State of California.

Jas. Porteous

Plaintiff

vs.

J. S. Bedford

Defendant

Action on a note

Demand, $

Jas. Porteous

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 28	Complaint filed.

Rec'd from Justice's fees $2.50

NO. 9

In the Justice's Court of the Third Township,

County of Fresno State of California.

Eunice E. Cox

Plaintiff

vs.

Joe Vogle

Defendant

Action Replevin suit.

Demand, ✗ Return of organ or Pow ⁊ $50 & ⁊ damages.

C. M. Seaton
Attorney for Plaintiff

H. J. Austin
Attorney for Defendant

DATE.	PROCEEDINGS.
1891 Dec. 29	Complaint on claim and delivery of personal property this day filed & and Summons issued and delivered to Geo. Mathews Constable (W. H. Harris deputy)
1892 Jan 2	Defendant this day enters a general denial (oral) to plaintiff's complaint.
" 5	Undertaking on claim and delivery of personal property this day filed.
" 6	The above action set for trial on Jan. 13, 1892 at 2 P. M. and the parties at interest notified thereof.
" 13	At the hour set the parties at interest are present and the trial proceeds: C. M. Seaton, Esq. appears for the plaintiff and H. J. Austin, Esq. for the defendant.
" "	Eunice E. Cox and J. D. Morgan are sworn and testify in behalf of the plaintiff; the defendant offers no testimony but objects to plaintiff being allowed $20 00/100 attorney's fee or damages.
" "	The Court takes the matter under advisement until 9.30 A. M. Jan 14, 1892.
" 14	The Court this day at the hour set finds for the plaintiff. Whereupon judgment is rendered and entered in favor of the plaintiff Eunice E. Cox and against the defendant Joe Vogel for the return of the said American Organ — 11 stops and numbered 117075 or for its value One Hundred Dollars, and for the sum of $20 00/100 damages and for the sum of $15 55/100 costs of suit. Justice fee $4.75 Constable fee 10.80 $15.55 Done in Open Court Jan 14 1892 Chas. C. Prince, Justice of the Peace.
Feb. 1892 15	Execution this day issued and delivered to J. G. Ashman Constable (H. F. Jacobsen deputy)
" "	The above execution returned this day satisfied & filed.

10

NO. 10

In the Justice's Court of the Third Township,

County of Fresno State of California.

Mattingly + Stanford
Plaintiff

vs.

Bartlett + Ewing
Defendant

Action for Insurance

Demand, $ 39 cts

W. T. Mattingly
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1871 Dec. 31	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ackman Constable (J. H. Walton deputy)
"	Summons served, returned + filed.
"	Writ of attachment returned + filed without making levy.

Rec'd $ for fees in full.
W. T. M.
Justice

NO. 11

In the Justice's Court of the Third Township,

County of Fresno State of California.

S. Ralston

Plaintiff

vs.

J. H. Newberry

Defendant

Action Money loaned & rents.

Demand, $ 300

G. F. Alexander
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 2	Complaint filed and summons issued and delivered to J. B. Ashman Constable (J. H. Wolter deputy)

Rec'd 10 Any Justice fees from Plff
W. P. Ross Co

12

NO. 12

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. G. Lemone

Plaintiff

vs.

Jos. Desante

Defendant

Action for board & lodging

Demand, $10 30/100

A. G. Lemone in his pro per
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan. 4	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons & writ of attachment issued and delivered to J. G. Ashman Constable (M. A. Black deputy)
" 5	Writ of attachment returned & filed showing levy.
" "	Summons returned and filed showing personal service by the officer on the defendant Jos. Desante in the 3rd Township of Fresno County on Jan. 5, 1892 of a copy of the summons attached to a copy of the complaint.
1893 June 17	It appearing to the Court from the return of the officer that a copy of the summons herein attached to a copy of the complaint was personally served on the defendant herein at this Township on the 5th day of Jany 1892, and that the defendant has not appeared herein by answer nor in any manner whatsoever and that the legal time therefor, to wit: five days has fully expired, now on motion of A.G. Lemone it is ordered that the default of the defendant Jos Desante be and the same is hereby entered.
	On further motion of said A.G. Lemone it is ordered that he have judgment as prayed for—
	Whereon judgment is here rendered and entered herein in favor of the plaintiff A.G. Lemone and against the defendant Jos Desante for the sum of $10.30 with interest at 7% per annum to wit $1.13 and costs of suit taxed at $12.25.
	Total judgt. $23.68
	A. Austin Justice of the Peace

NO. 13

In the Justice's Court of the Third Township,

County of Fresno State of California.

Fresno Gas and Electric Light Company (a corporation) *Plaintiff*

vs.

Tim Kee

Defendant

Action for gas

Demand, $ 50 00/100

E. C. White *Attorney for Plaintiff*

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan. 4	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to J. G. Eastman Constable.
" 8	Summons returned & filed without service.
" "	Writ of attachment returned & filed showing levy.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Const. E. C. Constable's fees. J. G. Eastman

Daniel R. Vines
Justice of the Peace.

14

NO. 14

In the Justice's Court of the Third Township,

County of Fresno State of California.

Overton Emmons & Co. (a corporation) Plaintiff

vs.

E. E. Gidding & Dan McDonald (Partners) Defendant

Action On account furnished

Demand, $ 78 50/100

Alfred H. Emery
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
Jan 1892	4	Complaint filed and also affidavit and undertaking for writ of attachment. Summons and writ of attachment issued and delivered to J. G. Eskman Constable.
Feb.	23	Summons returned and filed
"	"	Writ of attachment returned and filed.
"	"	On motion of plaintiff the above action is this day dismissed and costs paid.

Dante R. Prince
Justice of the Peace.

Rec'd Fee this 25th day of Feb 92
J. G. Eskman

Rec'd $2.50 Con. Fee
Feb 11, 92

NO. 15

In the Justice's Court of the Third Township,

County of Fresno State of California.

Thor. Jensen — Plaintiff

vs.

Owen Crow — Defendant

Action for labor furnished

Demand, $ 24 00

Thor Jensen in pro per.
Attorney for ~~Plaintiff~~

W. J. Timmin
Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Jan	4	Complaint filed and summons issued and delivered to J. S. Ashman, Constable.
"	7	Summons returned and filed showing personal service by the officer on the defendant of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan. 6, 1892.
"	11	Defendant this day by his attorney Wiley J. Timmin, Esq. files a written answer and counter claim.
"	"	The above action set for trial on Feb. 5, 1892 and the parties at interest notified thereof.
Feb.	5	Defendant this day asks leave of the Court to file an amended answer. The Court grants the motion.
"	"	The amended answer at once filed.
"	"	Defendant demands a jury & the same is by the Court ordered.
"	"	A venire for 24 jurors this day issued.
"	"	The above venire summoned, returned and filed.
"	"	A subpoena for witnesses for the plaintiff duly issued served, returned and filed.
"	"	At the hour set the parties at interest are present and the trial proceeds. H. C. Tupper, Esq. appears for the plaintiff and W. J. Timmin, Esq. for the defendant.
"	"	The following twelve jurors are selected and sworn in to try the issue: S. W. Rupro, Clark Stephens, R. L. Cochran, Wm Hill, Frank Miller, A. C. Smith, W. M. Owen, J. Statham, C. W. Grady, Jno. Grady Owen Holmes and Thos. Whitlock. Thompson Thor. Jensen, E. Garrison and R. P. Jensen are sworn and testify in behalf of the plaintiff; and Owen Crow, J. Bornecke, C. E. Smith and W. T. Rather are sworn and testify in behalf of the defendant. After argument by the attorneys herein is sworn in and takes charge of the jury. The jury retires and after a short deliberation brings in the following verdict: "We the jury find for the plaintiff for the sum of $24 00/100. J. M. Statham, Foreman."

(Continued on page 16)

Feb 11/92 Rec'd $2.30 on fee
J. S. Ashman.

Rec'd on ~~of~~ $21.50
Thomas Jensen
Rec'd balance of witness fees
this 2nd day of Mar 1892
Thomas Jensen

16

NO. 16

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chisholm & Jane (Partners) Plaintiff

vs.

Chas. Simmons Defendant

Action for goods & mdse

Demand, $ 84 75

C. Chisholm Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Jan.	4	Complaint & affidavit & undertaking for writ of attachment filed. Summons & writ of attachment issued and delivered to J. G. Ashman.
Mar.	9	Summons returned and filed showing personal service by the officer on the defendant Chas. Simmons of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 9, 1892 : Mar 16, 1892 Writ of attachment returned & filed showing levy.
"	16	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Chas. Simmons in the 3rd Township of Fresno County on Mar. 9, 1892; and it appearing that the said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired now therefor, on motion of C. Chisholm, defendant Chas. Simmons default is hereby entered; and on further motion of C. Chisholm judgment is ordered and entered in favor of the plaintiff Chisholm & Jane, partners, and against the defendant Chas. Simmons for the sum of $84 75/100 debt and for the sum of $15.45 costs of suit.
		Justice's fees $6.95 Total judgment $100 20/100
		Constable's fees $8.50
		$15.45
		Clerk in Open Court Mar 16, 1892.
		Chas. C. Prince, Justice of the Peace.
"	16	Execution issued and delivered to J. G. Ashman, Constable.
"		returned & filed partly satisfied. Amt received $ 28 10

NO. 17

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Overbittle — Plaintiff

vs.

Jacob Johnson and M. Anderson — Defendant

Action for goods wares & merchandise sold.

Demand, $ 147 35/100

J. E. Overbittle in person. Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 5	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Geo. Mathews Constable. (W. H. Harris deputy)
" 7	Summons served, returned and filed.
" "	Writ of attachment returned and filed.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Chas. R. Price, Justice of the Peace.

Rec'd Constable's fees, Marriage $2.50, Docket

Thos. Jensen vs. Chas. Crow (Continued from page 15)

1892 Feb. 5	The jury is thereupon discharged. Whereupon by virtue of said verdict the Court orders that judgment be and the same is rendered and entered in favor of the Plaintiff and against the Defendant for the sum of $24 00/100 debt and for the sum of $4 00/100 witness fee and for the sum of $44 30/100 costs of suit.
	Total judgment $72 30/100
	Costable's fee $12.30
	Justice's fee $8.00
	$20.30

Given in open court Feb. 5, 1891

Justice of the Peace.

1892 Feb. 5	Defendant granted a five days stay of execution.
" 10	Defendant granted a further stay of execution for five days.

18

NO. 18

In the Justice's Court of the Third Township,

County of Fresno State of California.

W. S. Parker — Plaintiff

vs.

J. F. Summers — Defendant

Action for goods, wares & merchandise.

Demand, $ 48 22/100

W. A. Brady & Jas. Gallagher — Attorneys for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan. 6	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Sheriff Constable.
" 23	Summons returned and filed without service
" "	Writ of attachment returned and filed showing levy.
" "	On motion of the attorneys for the plaintiff the above action is this day dismissed.

Dante R. Prince,
Justice of the Peace.

NO. 19

In the Justice's Court of the Third Township,

County of Fresno State of California.

Rush Jose — Plaintiff

vs.

J. G. James — Defendant

Action Damages

Demand, $ 290 00

W. D. Grady & Jos. Gallagher — Attorney for Plaintiff

E. D. Edwards — Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 6 1892	Complaint filed and summons issued and delivered to
" 20	The summons herein returned and filed showing acceptance of the service of summons by the defendant J. G. James on Jan 18, 1892.
" 21	A written demurrer this day filed by E. D. Edwards, Esq. attorney for defendant.
" 28	The above demurrer set for argument this day at 9.30 A. M.
" "	The above demurrer at the hour set is argued by the attorneys of record & by the court taken under advisement.
" "	Demurrer sustained.

20

NO. 20

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. A. Owen — Plaintiff

vs.

W. F. Plate — Defendant

Action on a note.

Demand, $86.71 cts + int thereon at 1% per mo. from Jan. 14, 1888 + $30 in all as atty's fee.

W. D. Grady + Jos. Gallagher
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan. 6	Complaint filed and summons issued and delivered to J. G. Ashman.

NO. 21

In the Justice's Court of the Third Township,

County of Fresno State of California.

M. Lambert
Plaintiff

vs.

A. Greenbaum + Co.
Defendant

Action for premium on insurance

Demand, $ 62.25

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 6 1892	Complaint filed and summons issued and delivered to Sh. Matthews Constable (W. H. Harris deputy)
15	Summons returned and filed showing personal service by me L. R. Tuttle a resident in and of San Francisco on the defendant A Greenbaum in the County of San Francisco, of a copy of the Summons attached to a copy of the complaint on Jan. 11, 1892. The above action this day dismissed on motion of the plaintiff and costs paid. Clerk R. Tuttle, Justice of the Peace.

Rec. Com. Fees
$ 5.00 Constable

22

No. 22

In the Justice's Court of the Third Township,

County of Fresno State of California.

W. A. Grady — Plaintiff

vs.

L. Feguneder — Defendant

Action for damage

Demand, $ 150 00

Jas. Gallagher
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 7 1892	Complaint filed and summons issued and delivered to J. S. Ackman Constable (P. H. Walton deputy)

NO. 23

In the Justice's Court of the Third Township,

County of Fresno State of California.

Lee Chuey — Plaintiff

vs.

Chey For Low — Defendant

Action for store rent and money loaned

Demand, $ 290 00/100

Lee Chuey in person.
Attorney for ~~Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 7	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
" 12	Summons returned and filed showing personal service by the officer on the defendant Chey For Low of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan 7, 1892
" 14	Writ of attachment returned & filed showing levy.
" 14	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Chey For Low in the Third Township of Fresno County on Jan 7, 1892; and it appearing that said defendant has not answered in this action, nor appeared therein in any way nor at all and the legal time therefor has, five days has fully expired now therefore his default is duly entered and on motion of the plaintiff herein judgment is rendered and entered in favor of the plaintiff Lee Chuey and against the defendant Chey For Low for the sum of $290 00/100 debt and for the sum of $13 35/100 costs of suit. Justice's fee = $6.95 Constable's fee = 6.40 13.35 Total judgment $303 35/100 Done in open Court Jan 14, 1892 Clarke R. Tribbey, Justice of the Peace.
1892 Jan. 22	Execution issued and delivered to J. G. Ashman Constable.
Feb. 11	The above execution returned this day as satisfied and filed.

24

No. 24

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. T. Liviane
Plaintiff

vs.

The Young Mens Christian Association of Fresno (a corporation) Defendant

Action Assigned account for work & labor done and materials furnished.
Demand, $ 71 40/100

D. M. Seaton
Attorney for Plaintiff

F. H. Short & A. M. Shaw
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 12	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Geo. Mattison Constable (W. H. Harris deputy).
" 13	Summons returned and filed showing personal service by the officer on the defendant by the said officer personally delivering to W. L. Bray the secretary of the said defendant a copy of said summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan 12, 1892.
" "	Writ of attachment returned & filed showing levy.
" 15	Defendant this day through its attorneys Messrs F. H. Short and A. M. Shaw enter a general demurrer (oral) to plaintiffs complaint.
" 19	The above demurrer set for argument on Jan 21st, 92 at 1.30 P. M. and the parties at interest notified thereof.
" 21	The above demurrer this day overruled and defendant given two days in which to answer.
" 23	Defendant this day enters a general denial (oral) to plaintiffs complaint.
" 26	On motion of plaintiffs attorney the above action is this day dismissed and costs paid.

Daniel C. Prince,
Justice of the Peace.

Read Practice Form &c

Granted Jan 1st 1892 to Plaintiff

NO. 25

In the Justice's Court of the Third Township,

County of Fresno State of California.

5.30

L. Shelly — Plaintiff

vs.

C. H. White — Defendant

Action for rent

Demand, $ 20 00/100

J. E. Overlittle — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 1892 12	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Con. Auctown Constable (W. H. Harris deputy)
" 13	Summons served, returned and filed showing personal service by the officer on the defendant C. H. White of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan 13, 1892
" 15	Writ of attachment returned & filed showing levy.
" 25	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant C. H. White by the said officer personally delivering the same to him in the 3rd Township of Fresno County on Jan. 13, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired now therefor his default is hereby entered on motion of J. E. Overlittle attorney for the plaintiff; and on further motion of said plaintiff's attorney judgment is rendered and entered in favor of the plaintiff L. Shelly and against the defendant C. H. White for the sum of $70 00/100 debt and for the sum of $11 65/100 costs of suit.
	Total judgment $ $81 65/100
	Done in open Court Jan 25, 1892
	Chas. P. Prince, Justice of the Peace.

Justice's fees from Plaintiff $6.95

Justice fee $6.95

Constable's fee 4.70

$11.65

Jan 25 Execution this day issued & delivered to J. S. Ashman Const. (H. J. T. Jasten deputy)

Jan. 29 The above execution this day returned & filed unsatisfied.

26

No. 26

In the Justice's Court of the Third Township,

County of Fresno State of California.

John T. Fitch — Plaintiff

vs.

The Oakland Vineyard Co. (a corporation) — Defendant

Action for work + labor done

Demand, $45 50/100

O. M. Seaton, Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892	
Jan 12	Complaint filed and summons issued and delivered to Geo. Matthews Constable (W. H. Harris deputy)
" 13	Summons returned + filed showing service.
" 18	Messrs Thompson + King attorneys for the defendant + came into Court and ask for two days further time in which defendant may make appearance in this action: Motion granted this day by the Court.
" 20	Defendant this day files the written affidavit of S. K. Lemon.
April 27	Plaintiff this day files his written affidavit
May 26	in support of defendants motion for the name of The Oakland Fruit + Vineyard Company of Fresno Co. Cal. is inserted. It appearing to this Court from the return of the officer indorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant in the 6th Township of Fresno County on Jan. 13, 1892; and it appearing that said defendant has not answered in this action nor properly appeared therein in any way or at all, and the legal time therefor to wit: Ten days has duly elapsed now therefore on motion of O. M. Seaton, Esq. attorney for the plaintiff defendants default is duly entered; and on further motion of the attorney for the plaintiff, judgment is ordered and entered in favor of the plaintiff John T. Fitch and against the defendant The Oakland Vineyard Co. (a corporation of Fresno Co. Cal.) for the sum of $45 00/100
Fruit +	debt and further sum of $9 85 costs of suit.
	Total judgment $55 35/100
	Costs in Justice Court April 26, 1892.
	Justice fee = $4.95
	Constable fee = 4.90
	9.85
	Dayton R. Pierce, Justice of the Peace.
July 16	Execution issued + delivered to J. G. Ackman Constable (H. J. T. Jacobsen deputy)

NO. 27

In the Justice's Court of the Third Township,

County of Fresno State of California.

Wing Tai

Plaintiff

vs.

C. W. Speake

Defendant

Action on a note

Demand, $ 13 10/100 + $ 25 00/100 atty's fee + costs of suit.

O. M. Seaton.
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
Jan	1892 12	Complaint filed and summons issued and delivered to Geo. Matthews Constable (W. H. Harris deputy)
"	13	Summons returned and filed showing personal service by the officer on the defendant C. W. Speake of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan. 13, 1892
Feb.	9	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant in the 3rd Township of Fresno County on Jan. 13, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired now therefore his default is hereby entered on motion of plaintiff's attorney; & on further motion of said plaintiff's attorney O. M. Seaton, judgment is rendered and entered in favor of the plaintiff Wing Tai and against the defendant C. W. Speake for the sum of $ 13 10/100 debt and for the sum of $ 15 00/100 attorney's fee and for the sum of $ 8 25/100 costs of suit.
		Justice's fee $ 3.95 Constable fee 4.80 $ 8.75
		Total judgment $ 36 25/100 Done in Open Court Feb. 9, 1892 Dante C. Tinnin, Justice of the Peace.
Feb.	1892 9	Execution issued and delivered to J. B. Ashman Constable (H. J. T. Jacobsen deputy)

28

No. 28

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. C. Hodge

Plaintiff

vs.

The Young Mens Christian Association of Fresno (a corporation)

Defendant

Action for services rendered

Demand, $ 30 00/100

O. Jas. Seaton

Attorney for Plaintiff

F. H. Short & A. M. Drew

Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 1892 13	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Geo. Matthews Constable (W. H. Harris deputy)
" 15	Summons returned and filed showing personal service by the officer on the defendant & by the said officer personally delivering to W. Bray the secretary of the said defendant in the 3rd Township of Fresno County on Jan 14, 1892 a copy of said summons attached to a copy of the Complaint.
" "	Writ of attachment returned & filed showing levy.
" "	Defendant through its attorneys Messrs F. H. Short and A. M. Drew enter a general demurrer (oral) to plaintiff's complaint.
19	The above demurrer set for argument on Jan 21, 1892 and the parties at interest notified thereof.

Rec'd Justice fees to date Jan 24, 1892 Constable fees "

NO. 29

In the Justice's Court of the Third Township,

County of Fresno State of California.

D. Imperatrice
Plaintiff

vs.

James Moore and Charles Moore
Defendant

Action on a note

Demand, $ 10 cts + int @ 1% per mo from Aug 1, 1889 and $ 25 cts.

D. M. Seaton.
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 14	Complaint filed and summons issued and delivered to Geo. Matheus Constable (W. H. Harris deputy)

Rec'd Justice Fees from D. Imperatrice $1.00 C.P.

30

NO. 30

In the Justice's Court of the Third Township,

County of Fresno State of California.

F. G. Bochem

Plaintiff

vs.

Jos. Lyons

Defendant

Action for Labor sold and delivered

Demand, $ 13 50/100

F. G. Bochem

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 16	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ackman Constable.
"	Summons served, returned and filed.
"	Writ of attachment returned & filed showing levy.
"	Amount and costs this day paid by defendant and the above action this day dismissed.

Chas. R. Prince,
Justice of the Peace.

Rec'd. Amount herein
F. G. Bochem.
Rec'd Cost. Jos.
J. S. Ackman

NO. 31

In the Justice's Court of the Third Township,

County of Fresno State of California.

W. H. Briscoe Plaintiff

vs.

O. M. Thompson Defendant

Action for vines sold & delivered and services rendered.

Demand, $ 297 40/100 & legal int. thereon from Feb. 1st 1890.

S. M. Leavitt
~~Graham & Ferry~~
Attorneys for Plaintiff

Goucher Jacobs & Jones
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 15	Complaint filed.
June 29	Summons issued
July 5	Summons returned and filed showing personal service on Defendant of a copy of the summons attached to a copy of the complaint served on the 2nd day of July 1892 in the 3rd Township
July 7	Comes now defendant by his attorneys, Goucher Jacobs & Jones and demurs to plaintiffs complaint upon the ground that the same does not state facts sufficient to constitute a cause of action —
July 7	Comes now defendant and for answer to plaintiffs Complaint denies each and every allegation therein —
1893 Jan 3	On motion of Plffs atty Cause set for trial Jan 16. 1893 at 9 a.m.
" 3	Subpoena for plff issued
" 4	Affidavit for change of venue made and this day filed by defendant
" 7	Now comes W.R. Jacobs, Counsel for Defr. & moves the Court for an order changing the place of trial of the above entitled cause upon the affidavit heretofore filed After due consideration thereof It is ordered that this cause be and the same hereby is transferred to the Court of Justice W.D. Crichton of the 3rd Township of this County and State upon Defendant paying costs to date Done in open Court this 7th day of Jany 1893. H.G. Austin Justice of the Peace
" 9	Costs paid & papers delivered to W.R. Jacobs $6.25

32

NO. 32

In the Justice's Court of the Third Township,

County of Fresno State of California.

Webber
Grayson partners doing business under the firm name of Webber & Grayson Plaintiffs
vs.
T. Alviso, Thos. Sivils & B. F. Merritt
Defendants

Action on a note

Demand, $216 66/100 + int. thereon at 1% per mo. com. at maturity + $40 00/100 atty's fee

Strother & Webb
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Jan	18	Complaint filed and summons issued and delivered to J. G. Ashman, Constable.
"	29	Summons returned and filed showing personal service by the officer of a copy of the summons attached to a copy of the complaint on T. Alviso; and a copy of the summons on Thos. Sivils and also a copy of the said summons on B. F. Merritt; all three of the said defendants being served in the 1st Township of Fresno County on Jan. 27, 1892.
Feb	6	T. Alviso came into Court this day and enters a general demurrer (oral) for the defendants herein to plaintiff's complaint.
	10	The above demurrer set for argument on Feb. 13, 192 at 1.30 P.M. and the parties at interest notified thereof
	13	The above demurrer this day overruled by consent of parties at interest.
"		Defendants this day enter a general denial (oral) to plaintiff's complaint.
	18	The above action set for trial on Feb. 20, 1892 at 2 P.M. and the parties at interest notified thereof.
	20	At the hour set for trial the plaintiffs, attorneys are present and the defendants make no appearance; and the Court, after waiting more than one hour for the appearance of said defendants and said defendants not appearing, does on motion of the attorneys for the plaintiffs enter the default of the said defendants, T. Alviso, Thos. Sivils and B. F. Merritt. And on further motion of plaintiffs' attorneys judgment is rendered and entered in favor of the plaintiffs Messrs Webber & Grayson and against the defendants T. Alviso, Thos Sivils and B. F. Merritt for the sum of $216 66/100 debt and for the sum of $28 20/100 interest and for the sum of $25 00/100 atty's fee and for the sum of $27 25/100 costs of suit. Justice's fee $4.75 Constable's fee 22.50 $27.25 Total judgment $297.86 Given in open Court Feb. 20, 1892. Daniel Sims Justice of the Peace.

Feb. 24, 192 Execution issued & delivered to J. G. Ashman Constable.
Mar. 24, 192 " returned & filed & more satisfied.

NO. 33

In the Justice's Court of the Third Township,

County of Fresno State of California.

R. Ruben + Son

Plaintiff

vs.

R. C. Gardner and
Jane R. C. Gardner

Defendant

Action for goods, wares & merchandise

Demand, $ 10.85 cts

R. Ruben
Attorney ~~for Plaintiff~~ pro

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 18	Complaint filed and summons issued and delivered to Con. Matthews Constable, (W. H. Harris deputy)
" 19	Summons returned and filed showing service.
" 25	The above action this day dismissed on motion of plaintiff and costs paid.

Clayton C. Rimer
Justice of the Peace

Act'g Constable
J. E. Davidson

34

NO. 34

In the Justice's Court of the Third Township,

County of Fresno State of California.

Wm Fahey — Plaintiff

vs.

Solomon & Perelson — Defendant

Action on account

Demand, $ 9 10/100

Wm Fahey — Attorney ~~for Plaintiff~~ in pro per

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 19	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
" 25	Summons returned and filed showing personal service by the officer on the defendant Solomon by the said officer personally delivering to the said defendant in the Third Township of Fresno County on Jan. 19, 1892 a copy of said summons attached to a copy of the complaint.
" "	Writ of attachment returned & filed showing levy.
" "	The Property attached ordered released.

NO. 35

In the Justice's Court of the Third Township,

County of Fresno State of California.

Sing Chung Lung, Plaintiff

vs.

Chy For Low Defendant

Action Judgment, waver & mdse.

Demand, $ 199 100

Sing Chung Lung
Attorney for ~~Plaintiff~~

4.80

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 22	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable.
" 27	Summons returned and filed showing personal service by the officer on the defendant Chy For Low of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan 25, 92
" "	Writ of attachment returned & filed showing levy.
Feb. 8	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Chy For Low by the said officer personally delivering the same to the said defendant Chy For Low in the 3rd Township of Fresno County on Jan. 25, 1892; and it appearing that the said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired now therefor on motion of plaintiff herein defendants default is hereby entered; and on further motion of the said plaintiff judgment is rendered and entered in favor of the said plaintiff Sing Chung Lung and against the defendant Chy For Low for the sum of $199 100 debt and for the sum of $11 25/100 costs of suit.
	Justice's fee $6.95 Constable's fee 4.80 $11.75
	Total judgment $210 25/100
	Done in Open Court Feb. 8, 1892
	Chas. R. Prince,
	Justice of the Peace.
Feb. 1892 8	Execution issued and delivered to J. S. Ashman Constable.
" 11	The above execution this day returned satisfied & filed.

36

No. 36

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. G. Sablick

Plaintiff

vs.

John Matovich

Defendant

Action for goods, wares & merchandise.

Demand, $ 18.50

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 25	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to Geo. Matthews Constable (W. H. Harris deputy)
" 26	Summons returned and filed showing personal service by the officer on the defendant John Matovich in the 3rd Township of Fresno County on Jan. 25, 1892 of a copy of the said summons attached to a copy of the complaint.
" "	Writ of attachment returned and filed showing levy.
" 29	Defendant this day appear by his attorneys Messrs Belcher, Jacobs & Jones and enter a general denial (oral) to plaintiff's complaint. And for a further and separate defense, defendant allege that all the goods, wares & merchandise mentioned in plaintiff's complaint were spirituous & malt liquors & were sold by plaintiff to defendant at retail
Feb. 1	The above action set for trial on Feb 9, 1892 at 2 P.M. and the parties at interest notified thereof.
" 9	The trial of the above action indefinitely continued.

NO. 37

In the Justice's Court of the Third Township,

County of Fresno State of California.

Sang Hop — Plaintiff

vs.

Choy For Low — Defendant

Action for goods wares & merchandise

Demand, $ 296 65/100

5.40

Sang Hop — Attorney for ~~Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 25	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable
" 27	Summons returned and filed showing personal service by the officer on the defendant Choy For Low of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan. 25, 1892.
" Feb 1st	Writ of attachment returned & filed showing levy. It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant by the said officer personally delivering the same to the said defendant in the 3rd Township of Fresno County on Jan. 25, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor (viz:- five days) has fully expired, now therefore on motion of plaintiff herein defendants default is hereby entered; and on further motion of plaintiff herein, judgment is rendered and entered in favor of the plaintiff Sang Hop and against the defendant Choy For Low for the sum of $296 65/100 debt and for the sum of $12 35/100 costs of suit.
	Justice fee $ 6.95 Constable fee 5.40 12.35 Total judgment $309 00/100 Done in Open Court Feb. 1st, 1892 Chas R. Shaw, Justice of the Peace.
1892 Feb. 1st	Execution issued and delivered to J. G. Ashman, Constable.
" 11	The above execution returned this day partially satisfied and filed. Said execution shows $256 00/100 received.

38

NO. 38

In the Justice's Court of the Third Township,

County of Fresno State of California.

Manuel Lewis

Plaintiff

vs.

Frank Silva

Defendant

Action Labor & services performed.

Demand, $ 150 75/100

W. D. Grady & Jos. Gallagher
Attorneys for Plaintiff

H. J. Austin,
Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Jan	25	Complaint filed and summons issued & delivered to J. S. Ashman Constable.
Feb.	10	Summons returned and filed showing personal service by the officer on the defendant Frank Silva of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Feb. 9, 92
"	12	defendant this day through his attorney H. J. Austin enters a general denial (Cond) to plaintiffs complaint.
"	"	The above action set for trial on Feb. 19, 1892 at 9.30 A. M. and the parties of interest notified thereof.
"	19	The trial of the above action continued by consent of the parties of interest until Feb. 24, 1892 at 9.30 A. M.
	24	At the hour set the parties of interest are present and the trial proceeds: Jos. Gallagher, Esq. appears as attorney for the plaintiff; and H. J. Austin, Esq. appears as attorney for the defendant. J. R. Alvarez is sworn in as motion of the plaintiff and acts as Portuguese interpreter. Manuel Lewis, Frank Silva, Mrs. Frank Silva, Frank Frietas and M. M. Soares are sworn and testify in behalf of the plaintiff; and Mrs. Sarah Bemis, H. J. Austin, Antone Fraele J. J. Souza & Mrs Frank Silva are sworn and testify in behalf of the defendant. On the motion of Jos. Gallagher, Esq. before the taking of testimony that the witnesses be sworn and put under the rule, which was by the Court granted, Henry Brickley and Geo. McCarty were also sworn but did not testify. Thereupon both sides rest and after argument by Counsel the Court finds as follows: That defendant before the trial of this action made a tender of $9.75 to plaintiff and costs of suit: That plaintiff refused to accept the same: That the cause went to trial: Wherefore from the evidence aforesaid judgment is rendered and entered in favor of the plaintiff and against the defendant for the sum of $ 9.00 : But it appearing that said amount received is less than the amount tendered plaintiff by defendant therefore in accordance with the law and the evidence it is adjudged that defendant herein recover his costs from plaintiff herein taxed at $4.70/100
	"	Dan'l K. Rose Justice of the Peace.

Feb. 25, 92 Memorandum of Costs filed
Feb. 29, 92 Justice's & Constable's fees taxed & allowed by Court

NO. 39

In the Justice's Court of the Third Township,

County of Fresno State of California.

Gen. H. Romney Plaintiff

vs.

S. H. Williams Defendant

Action for goods, wares & merchandise

Demand, $ 97 55/100

Strother & Webb.
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 26	Complaint and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to J. E. Ashman Constable.
" "	Summons served, returned and filed.
" "	Writ of attachment returned and filed.
Feb. 2	The above action dismissed on motion of Plaintiff and costs paid.

Chas. R. Prince,
Justice of the Peace.

40

No. 40

In the Justice's Court of the Third Township,

County of Fresno State of California.

David Rice — Plaintiff

vs.

D. L. McCray and W. H. McCray — Defendant

Action Jn goods, wares & Merchandise

Demand, $ 28.75

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Jan 27 1892	Complaint filed and Summons issued and delivered to Jno. Matthews Constable (W. H. Harris deputy)

NO. 41

In the Justice's Court of the Third Township,

County of Fresno State of California.

T. G. Yancey — Plaintiff

vs.

H. C. Cone — Defendant

Action for goods & Indebtedness

Demand, $ 48.56/100

L. L. Cory & L. W. Guerdrie — Attorneys for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 28	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ackman Constable.
Jan 1893 26	Writ of attachment returned & filed showing levy.
Jany 14	Alias Summons this day issued and delivered to Wm Shaw Constable 50
Mch 1896 Feby 24	Summons returned and filed not served.
4	Defendant by Sayle & Caldwell appear specially and file notice of motion to dismiss, to be heard this day at 9-30 A. M.
" 4	Motion argued submitted and motion granted and this cause is hereby dismissed and judgment for costs is ordered entered against the plaintiff. Wherefor judgment is here rendered and entered in favor of the defendant H C Cone and against the plaintiff T. G. Yancey for the costs of this action taxed at $12.25 Done in open court this 4th day of Feby 1896 H Austin Justice of the Peace

42

NO. 42

In the Justice's Court of the Third Township,

County of Fresno State of California.

James R. Hines

Plaintiff

vs.

William Jones

Defendant

Action for money loaned

Demand, $ 57 00/100

Barker, Jacobs & Jones

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 29	Complaint filed and summons issued and delivered to J. G. Eastman Constable.
" 30	Summons served, & this day returned & filed. Said summons shows personal service by the Sheriff on the defendant William Jones of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Jan. 29, 1892
Feb. 1st	A written demurrer this day filed by S. Jackson, Esq. attorney for the defendant.
" 6	The above demurrer set for argument on Feb. 15, 1892 at 1.30 P. M. and the parties at interest notified thereof.
" 15	By consent of those at interest the above demurrer this day overruled and defendant given three days in which to answer.
" 16	Defendant this day files an answer to plaintiffs complaint.

NO. 43

In the Justice's Court of the Third Township,

County of Fresno State of California.

E. M. Hansen — Plaintiff

vs.

Geo. W. Lincoln and Kate Lincoln — Defendant

Action for meats sold.

Demand, $ 85 05/100

E. M. Hansen ~~per~~ for
Attorney ~~for Plaintiff~~

Beverly L. Hodgehead
Attorney for Defendant Kate Lincoln

DATE.	PROCEEDINGS.
Feb. 2 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Geo. Matheson Constable.
" 4	Summons returned without service, & Writ of attachment without levy.
" "	An amended complaint and affidavit and undertaking for writ of attachment this day filed; and summons and writ of attachment issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)
" 24	A written demurrer this day filed by defendant Kate Lincoln. (Beverly L. Hodgehead Esq. for)
" "	A written answer this day filed by Beverly L. Hodgehead Esq. for defendant Kate Lincoln.
April 28	The above action this day dismissed on motion of plaintiff and costs paid.

Chas. R. Thomas
Justice of the Peace.

44

NO. 44

In the Justice's Court of the Third Township,

County of Fresno State of California.

M. A. Burleigh Plaintiff

vs.

Frank B. Smith Defendant

Action for house rent

Demand, $ 32.00

A. M. Slaton
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Feb.	4	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
	4	Summons returned and filed showing personal service by the officer on the defendant Frank B. Smith of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Feb. 4, 1892.
	6	Writ of attachment returned & filed showing levy.

Rec'd Justice Fees $ [illegible]
" [illegible]

Rec'd [illegible] Justice Fees from [illegible]

NO. 45

In the Justice's Court of the Third Township,

County of Fresno State of California.

Abraham Emmons & Co. (a corporation) Plaintiff

vs.

W. D. Grady Defendant

Action for under sold and delivered.

Demand, $ 210 87/100

Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Feb.	4	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Sheriff Fresno Co.
"	9	Summons returned and filed showing personal service by the Officer on the defendant W. D. Grady of a copy of the summons attached to a copy of the Complaint in the 3rd Township of Fresno County on Feb. 9, 1892
"	13	A written demurrer to plaintiff's complaint this day filed by the defendant W. D. Grady.
"	"	The above demurrer set for argument on Feb. 18/92 at 1 P.M. and the parties at interest notified thereof.
"	18	At the hour set the plaintiff is present and the defendant not appearing and the Court after waiting more than one hour for his appearance and he not appearing does on motion of Chas. Sims attorney for plaintiff overrule defendants demurrer.

Rec'd copy Complaint &c. Feb. 4 1892 Chas. Sims

46

NO. 46

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chisholm & Jones

Plaintiff

vs.

Ed Cohn

Defendant

Action for rent

Demand, $28.15

C. Chisholm

Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Feb.	5	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable.
"	15	Summons returned and filed showing personal service by the officer, A. S. Hall a deputy constable of Kern County, California on the defendant Ed. Cohn of a copy of the summons attached to a copy of the complaint in Kern County, State of California, on Feb. 6, 1892.
"	"	Writ of attachment returned and filed showing nothing attached.

NO. 47

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chris Iversen
Plaintiff

vs.

G. Van Kouren
Defendant

Action on a note

Demand, $. 211 00/100 + 50 00/100 attys fee

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 8	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable (H. J. F. Jacobsen deputy)
" "	Summons served returned and filed.
" "	Writ of attachment returned & filed.
	The above action this day dismissed on motion of plaintiff's attorney and costs paid.
	David R. Prince, Justice of the Peace.

48

NO. 48

In the Justice's Court of the Third Township,

County of Fresno State of California.

H. T. Clyer — Plaintiff

vs.

Frank Clark — Defendant

Action for goods, wares & merchandise

Demand, $ 59 00/100

H. T. Clyer
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892		
Feb.	9	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable (H. J. T. Jacobsen deputy)
"	"	Summons returned served, and filed.
"	9	Undertaking on release of attachment this day filed and attached property ordered released.
"	"	Writ of attachment returned & filed.
"	15	A written answer and offer to allow judgment this day filed.
"	"	Plaintiff this day accepts defendants offer to allow judgment for $46 60/100 and costs against defendant
"	"	Wherefore judgment is rendered and entered in favor of the plaintiff, H. T. Clyer, and against the defendant Frank Clark for the sum of $46 60/100 debt and for the sum of $15 15/100 costs of suit.
		Justice fee $7.95 — Total judgment $61 75/100
		Constables fee 7.40 $15.15 — Done in Open Court Feb. 15, 1892.
		Clanton P. Sims, Justice of the Peace.
Feb.	16	The above judgment this day satisfied in full
		Clanton P. Sims. J. P.

Rec'd Clanton and Ashman Constables fees. H. J. T. Jacobsen

Rec'd Clanton fees J. B. Ashman

NO. 49

In the Justice's Court of the Third Township,

County of Fresno State of California.

Mrs C. Duncan *Plaintiff*

vs.

Geo. Campbell *Defendant*

Action for labor done and performed.

Demand, $. 12 00/100

Mrs. C. Duncan, in pro. per.
Attorney for ~~Plaintiff~~

Attorney for Defendant

DATE.		PROCEEDINGS.
	1892	
Rec'd Cer. fee of J.G. Ashman.	Feb 11	Complaint filed and summons issued and delivered to J. G. Ashman, Constable.
Rec'd Statement Mrs. C. Duncan	12	Summons returned and filed showing service.
	"	On motion of Plaintiff the above action this day dismissed and costs paid.

David R. Pierce
Justice of the Peace.

50

No. 50

In the Justice's Court of the Third Township,

County of Fresno State of California.

H. Lachman — Plaintiff

vs.

Ed. Austin — Defendant

Action Ju guode & Judge

Demand, $ 85.25/100

L. L. Cory & L. W. Montrie
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Feb.	11	Complaint filed and summons issued and delivered to J. B. Ashman Constable. (S. S. Crutcher dep'ty)
"	15	Summons returned & filed showing personal service by the officer on the defendant Ed Austin in the 3rd Township of Fresno County on Feb. 15th 1892 a true copy of said summons attached to a copy of the complaint.
1893 March	30	It appearing to the Court from the return of the officer that a copy of the summons attached to a true copy of the complaint was personally served on the defendant at this Township on the 15th day of Feby 1892 and that the defendant herein has not appeared or answered herein and that the legal time for his appearance or answer to wit: five days has fully expired, now on motion of L W Montrie, atty for Plff. It is ordered that the default of the defendant Ed Austin be and the same is hereby entered. On further motion of said L W Montrie it is ordered that the plaintiff have judgment as prayed for.
		Whereon Judgment is here rendered and entered in favor of the plaintiff H Lachman and against the defendant Ed Austin for the sum of $92.50 and for costs of suit taxed at $6.50
		Total Judgment 99.00
		Done in open Court Mch 30, 1893
		H. Z. Austin
		Justice of the Peace
"	30	Execution issued and delivered to Wm Shaw Constable 1.25
May	29	Execution returned wholly unsatisfied 2.00
June	10	Execution issued & delivered to Wm Shaw Const 1.25

Justice's fee
Const's fee

NO. 51

51

In the Justice's Court of the Third Township,

County of Fresno State of California.

Action for Commission

A. Braverman
Plaintiff

vs.

Andrew J. Paterson
Defendant

Demand, $201.00 + int @ 7% from Jan. 8, 92

at

L. L. Cory and L. W. Mortrie
Attorneys for Plaintiff

Church + Wolser
Attorneys for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 17	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. D. Ashman Constable.
" 23	Summons served, returned and filed, showing personal service by the officer upon the defendant Andrew J. Paterson of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Feb. 23, 1892
" "	Writ of attachment returned & filed showing levy
" 27	A written demurrer this day filed for defendant by his attorneys Messrs Church & Wolser.
Mar 21	An alias writ of attachment this day issued.
1893 Jany 14	On motion of Olpp Atty above demurrer set for hearing on Jany 17. 1893 at 9-30 a m & parties notified 50
" 17	On motion of plaintiff (there being no appearance for defendant) the above demurrer is overruled & two days given to answer 50
" 19	Defendant this day files written answer
1895 Mch 22	Defendant files notice of motion to dismiss & to be heard this day at 9 A.M. and by consent hearing of such motion continued to Mch 26. 1895 at 9 A M 75
" 26	at the time set by consent hearing of above motion continued to this day at 1-30 P. M 50
" "	at the time set the motion is argued submitted and by the Court taken under advisement
" 27	The above motion to dismiss is this day denied and cause set for trial Mch 28, 1895 at 3. P. M.
" 28	By consent trial continued to Mch 29. 1895 at 2 P. M 50
" 29	at the time set all parties are present in Court and defendant asks leave to file amended answer, leave granted and amended answer filed and cause continued to Apr 20. 1895 at 10 A. M.
April 20	Cause continued to May 4. 1895 at 10 A M.

52

No. 52

In the Justice's Court of the Third Township,

County of Fresno State of California.

Dominick Arzinski

Plaintiff

vs.

W. M. Burton Constable and J. A. Bacon

Defendant

Action Claim & delivery of personal property

Demand, $ 2 Grey horse a value $150 & for $40 damages

D. M. Seaton
Attorney for Plaintiff

Geo. L. Warlow
Attorney for Defendant

DATE.	PROCEEDINGS.
Feb. 18 1892	Complaint on claim and delivery of personal property this day filed and Summons issued and delivered to J. S. Ashman Constable.
" 24	Affidavit on claim and delivery of personal property and Order of seizure this day filed.
" "	Summons returned & filed showing personal service by the Officer on the defendant J. A. Bacon of a copy of the summons attached to a copy of the Complaint in the 3rd Township of Fresno County on Feb. 18, 1892.
Mar. 2	It appearing to this Court from the return of the Officer endorsed on the original summons that a true copy of said summons attached to a copy of the Complaint was personally served by the said Officer on the said defendant J. A. Bacon in the 3rd Township of Fresno County on Feb. 18, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired, now therefore on motion of the attorney for the plaintiff defendant J. A. Bacon's default is duly entered.
" 14	A written motion to dismiss for want of jurisdiction this day filed by Geo. L. Warlow atty for deft.
April 22	On motion of D. M. Seaton, Esq. attorney for the plaintiff Dominick Arzinski is sworn and testifies and judgment is thereupon rendered and entered in favor of the plaintiff Dominick Arzinski and against the defendant J. A. Bacon for the sum of Thirty Dollars damages and for costs of suit taxed at $14.60 Justices fees = $5.20 Constables fees 9.40 14.60 Total judgment $44 60/100 Done in open Court April 22/92. Dante R. Pence, Justice of the Peace.
May 1 92 / Oct. 3	Execution issued & delivered to J. S. Ashman constable. " returned & filed unsatisfied.

NO. 53

53

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Woolittle — Plaintiff

vs.

Aline Willcox — Defendant

Action on a note

Demand, $107 100 + int. thereon at 10% per annum from Oct 1 & 1889. + $50 00 atty's fee.

D. M. Keaton. — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 18	Complaint filed and summons issued and delivered to J. G. Ashman Constable (H. J. T. Jacobsen deputy)
" 23	Summons this day returned and filed showing personal service on the defendant of a copy of the summons attached to a copy of the complaint in the 2nd Township of Fresno County on Feb. 19th 92 by Julius Grundahl.
Mar 3	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Aline Willcox in the 2nd Township of Fresno County on Feb. 19, 1892; and it appearing that said defendant has not answered in this action, nor appeared therein in any way nor at all and the legal time therefor to wit: Ten days has fully expired, now, therefore on motion of J. E. Woolittle the plaintiff herein, defendant's default is hereby entered; and on further motion of the said plaintiff judgment is ordered and entered in favor of the plaintiff J. E. Woolittle and against the defendant Aline Willcox for the sum of $107 100 debt and for the sum of $25 41 100 interest and for the sum of $20 00 100 attorney's fee and for the sum of $7.55 costs of suit. Total judgment $152 96 100 Constable's fee $3.60 Done in open Court Mar. 3, 1892 Justice's fee 3.95 7.55 Daniel K. Thomas, Justice of the Peace.
1892 Sept 28	Execution issued and delivered to J. G. Ashman Constable.
Nov. 26	" returned & filed without satisfaction.

54

NO. 54

In the Justice's Court of the Third Township,

County of Fresno State of California.

Ki Wing, Plaintiff

vs.

Kam Far, Defendant

Action for work & labor done

Demand, $ 48.20

W. D. Grady & Jas Gallagher, Attorneys for Plaintiff

D. M. Seaton, Attorney for Defendant

DATE.	PROCEEDINGS.
1882 Feb. 23	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
" "	Defendant this day came into Court and enters a general denial to plaintiffs complaint.
" "	Summons served, returned and filed.
" "	Writ of attachment returned & filed showing levy.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Rec'd Cr. Fee. Pd. Ashman.

Clayton P. Sinnet, Justice of the Peace.

NO. 55

In the Justice's Court of the Third Township,

County of Fresno State of California.

& 1cc Plaint'f's Atty Pltff.

H. St. Geo. Hopkins
Plaintiff

vs.

J. H. Linly
Defendant

Action on a note

Demand, $ 100 00/100 + int at 1% per mo from Feb. 24, 1887

H. St. Geo. Hopkins
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 23	Complaint filed.

56

NO. 56

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Overlittle — Plaintiff

vs.

Geo. Schenck and Healy — Defendant

Action for printing & materials

Demand, $ 21 50/100

2.40
3.60

J. E. Overlittle
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 26	Complaint filed and summons issued and delivered to J. B. Ackman Constable (H. J. T. Jacobsen deputy)
" "	Summons served, returned and filed showing personal service by the officer on the defendant Geo. Schenck of a copy of the summons attached to a copy of the complaint, in the 3rd Township of Fresno County, State of California on Feb. 26, 1892.
Mar 3	It appearing to this Court from the return of the officer endorsed on the original complaint that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Geo. Schenck in the 3rd Township of Fresno County on Feb. 26, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all, and the legal time therefor to wit: Five days has fully elapsed, now therefore his default is hereby entered on motion of J. E. Overlittle the plaintiff herein; and on further motion of the said J. E. Overlittle judgment is ordered and entered in favor of the plaintiff J. E. Overlittle and against the defendant Geo. Schenck for the sum of $21 50/100 debt and for the sum of $6 35/100 costs of suit. Justice's fee = $3.95 Constable's fee = 2.40 $6.35 Total judgment $27 85/100 Done in open Court Mar 3, 1892 Daniel C. Prince, Justice of the Peace.
Mar. 1892 5	Execution issued and delivered to J. B. Ackman Constable (H. J. T. Jacobsen, deputy)
" 9	Execution returned unsatisfied + filed.
" "	Affidavit for supplementary proceedings this day filed and order issued thereon and delivered to H. J. T. Jacobsen deputy constable.

NO. 57

57

In the Justice's Court of the Third Township,

County of Fresno State of California.

F. G. Bochow

Plaintiff

vs.

Shannon + Glenn

Defendant

Action for rent

Demand, $ 42 50/100

F. G. Bochow in pro per

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 26	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Eckman Constable.
Mar 8	Summons returned and filed showing personal service by the officer on the defendant Sam Shannon by the said officer personally delivering to the said defendant in the 4th Township of Fresno County on Feb. 27, 1892 a copy of said summons attached to a copy of the complaint.
" "	Writ of attachment returned + filed showing levy.
" 9	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Sam Shannon in the 4th Township of Fresno County, State of California on Feb. 27, 1892; and it appearing that said defendant Sam Shannon has not answered in this action nor appeared therein in any way, nor at all, and the legal time therefor limit: Ten days has fully expired, now therefor on motion of plaintiff defendant default is hereby entered; and on further motion of said plaintiff, judgment is ordered and entered in favor of the plaintiff F. G. Bochow and against the defendant Sam Shannon for the sum of $42 50/100 debt and for the sum of $30 85/100 costs of suit. Constables fee $23.90 Justices fee 6.95 $30.85 Total judgment $73 35/100 Done in open Court Mar. 9, 1892. Chas R. Pinner, Justice of the Peace.
1892 Mar 9	Execution issued and delivered to J. G. Eckman, Constable.
" 17	The above execution returned partially satisfied + filed. part of Judgment, costs paid +

58

No. 58

In the Justice's Court of the Third Township,

County of Tulare State of California.

Collins & Mann, partners doing business under the firm name and style of Collins & Mann
Plaintiff

vs.

H. Russell
Defendant

Action for rent

Demand, $ 82.25

J. A. Mann
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Feb. 27, 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
April 14	Summons returned & filed showing personal service by the officer upon the defendant of a copy of the summons attached to a copy of the complaint in the County of Tulare on April 2, 1892.
" 25	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant H. Russell in the County of Tulare on April 2, 1892; and it appearing that said defendant has not answered in this action, nor appeared therein in any way, nor at all, and the legal time therefor to wit: Twenty days has fully expired now therefore his default is duly entered and on motion of J. A. Mann judgment is ordered and entered in favor of the plaintiff, Collins & Mann, and against the defendant H. Russell for the sum of $82 25/100 dollars and for the sum of $6 35/100 cents costs of suit. Justices fee $6.95 Constables fee 6.35 $13.30 Total judgment $91 25 Date in Open Court April 25, 1892 Daniel C. Sims Justice of the Peace.
May 9, 1892	The above judgment this day ratified in full.
" "	Writ of attachment returned & filed.

No. 59

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. W. Reed — Plaintiff

vs.

C. F. Clark — Defendant

Action Unlawful detainer.

Demand, $ 30 & Co etc.

D. M. Easton
Attorney for Plaintiff

Goucher, Jacobs & Jones
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 27	Complaint filed and summons issued and delivered to J. S. Ackman Constable (H. J. F. Jacobsen deputy)
Mar 1st	Defendant this day through his attorneys Messrs Goucher, Jacobs & Jones enter a general denial to plaintiff's complaint.

60

No. 60

In the Justice's Court of the Third Township,

County of Fresno State of California.

Mrs Annie Cotton

Plaintiff

vs.

Mrs Annie Smith

Defendant

Action for work & labor done

Demand, $ 500

Mrs. Annie Cotton ~~in person~~
Attorney ~~for Plaintiff~~

Goucher, Jacobs & Jones
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Feb. 29	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. D. Ashman Constable.
Mar 2	A written demurrer this day filed for defendant by her attorneys Messrs Goucher, Jacobs & Jones.
" "	A written ~~demurrer~~ answer this day filed for defendant by her attorneys.
" 8	The above demurrer this day overruled by the Court & defendant and the above action set for trial on Mar 12, 1892 at 3 P.M. and the parties & interest notified thereof.
" 8	Summons returned & filed.
" 8	Writ of attachment returned & filed.
" 12	The above action set for trial on Mar. 21 192 at 3 P.M. and the parties & interest notified thereof.
" 21	A jury trial demanded by defendant & granted.
" "	A venire for 16 jurors this day issued, summoned, returned and filed.
" "	At the hour set the parties & interest are present and the trial proceeds: Messrs Jacobs & Jones appear for the defendant and Jos. Gallagher for the plaintiff.
" "	The following twelve jurors are selected & sworn in to try the issue: C. Kinney, A. Machen, Chas Berry, Henry Rea, T. Turnbull L. Jerome, Thos. Hunt, C. H. Emmons, Jos. Stayton, W. Gates, Jno. Thomas and F. Satterfield. The following witnesses are sworn and testify — for the plaintiff: Annie Smith, Annie Cotton, Annie Brunn, Effie Edwards. The defendant testifies in her own behalf. is sworn in and takes charge of the jury. The jury retires & brings in a verdict; but the plaintiff being unable to pay the jury fee the said verdict is not recorded. The jury is thereupon discharged.

Justice's fees $9.00
Constable's fees 6.60
$15.60

Clayton C. Thomas
Justice of the Peace

NO. 61

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chisholm + Jones (Partners) — Plaintiff

vs.

Geo. Walden — Defendant

Action for merchandise sold + delivered

Demand, $ 44 00/100

C. Chisholm — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 4th	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
" 9	Summons returned and filed showing personal service by the Officer on the defendant Geo. Walden of a copy of the Summons attached to a copy of the Complaint in the 3rd Township of Fresno County, State of California on Mar. 4th, 1892
" "	Writ of attachment returned + filed showing levy.
" "	It appearing to this Court from the return of the Officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally by the said Officer on the said defendant Geo. Walden in the 3rd Township of Fresno County on Mar. 4th 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way, nor at all and the legal time therefor to wit: Five days has fully expired, now therefor his default, is, on motion of C. Chisholm, hereby entered; and on further motion of said C. Chisholm judgment is ordered and entered in favor of the plaintiff Messrs Chisholm + Jones (partners) and against the defendant Geo. Walden for the sum of $44 00/100 debt and for the sum of $11 85/100 costs of suit. Justices fee = $6.95 Constables fee = 4.90 11.85 Total judgment $55 85/100 Done in open Court Mar. 9, 1892 Walter C. Jones, Justice of the Peace.
1892 Mar 9	Execution issued and delivered to J. G. Ashman Constable.
" "	The above execution returned partially satisfied. (Amt recd $47 cts)

62

No. 62

In the Justice's Court of the Third Township,

County of Fresno State of California.

County of Fresno
(a Municipal Corporation)
Plaintiff

vs.

Field & Moore

Defendant

Action for retail liquors license

Demand, $ 50 00/100

W. C. Grand
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892		
Mar	2	Complaint and affidavit for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Eastman Constable.
"	2	Summons returned unserved & filed
"	"	Writ of attachment returned & filed without levy.
"	7	On motion of W. C. Grand attorney for plaintiff the above action is this day dismissed.

David R. Rowe,
Justice of the Peace.

NO. 63

63

In the Justice's Court of the Third Township,

County of Fresno State of California.

County of Fresno
(a municipal corporation)
Plaintiff

vs.

John Worden and J. E. Ragsdale
Defendant

Action for retail liquor license

Demand, $ 50 00/100

W. C. Guard.
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 2	Complaint and affidavit for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. E. Ackman Constable.
" "	Summons returned & filed showing service.
" 7	Writ of attachment returned & filed showing levy.
" 7	On motion of W. C. Guard attorney for plaintiff the above action is this day dismissed.

Daniel R. Sims,
Justice of the Peace.

64

NO. 64

In the Justice's Court of the Third Township,

County of Fresno State of California.

M. Madsen — Plaintiff

vs.

Wm. Shortridge — Defendant

Action on a note

Demand, $ 75.00 & int. thereon from Jan. 12 1889 at 10% per annum & for $25.00 atty's fee.

O. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.		PROCEEDINGS.
1892		
Mar	2	Complaint filed and summons issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)
"	5	Affidavit and undertaking for writ of attachment this day filed and writ of attachment issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)
"	7	Summons returned and filed showing personal service by the Officer on the defendant Wm. Shortridge of a copy of the summons attached to a copy of the complaint in the 2nd Township of Fresno County on Mar 5, 1892
"		Writ of attachment returned & filed
1893.		
Janry	7	It appearing to the Court from the return of the officer endorsed on the original summons that a true copy of the summons attached to a true copy of the complaint in this action was personally served on the defendant Wm. Shortridge in the 2nd Township of Fresno County Cal. on the 5th day of March 1892, and it appearing that the defendant has not appeared or answered in any way or at all and that the legal time for appearing or answering to wit, ten days, has expired, Now therefore, on motion of J. E. Doolittle, the default of the defendant for not appearing or answering herein, is hereby ordered entered and the same is this day entered.
		Whereupon, by reason of the law and the default of the defendant, & on motion of the Atty for the Plff. It is ordered adjudged and decreed that the plaintiff M. Madsen do have and recover of and from the defendant Wm. Shortridge (Judgment) for the sum of $93.75 debt, $25.00 attys fee and $ Costs of suit taxed at $. 14.10
		Total judgment $. 132.85
		Done in open Court this 7th day of Janry 1893
		H. J. Austin Justice of the Peace.
		Justices fees $6.00
		Constables fees 7.70
		14.10
1893		
Jan	7	Paid on above Judgment $100.00
"	10	Execution issued.

No. 65

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Woolittle — Plaintiff

vs.

L. L. Bettys — Defendant

Action on a note

Demand, $ 80 00/100 & int thereon from Sept 10/91 at 3% per mo. & $25 00/100 atty's fee

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 2	Complaint filed and summons issued and delivered to J. B. Eskman Constable (H. J. T. Jacobsen deputy)
" 7	Summons returned and filed showing personal service by the officer on the defendant L. L. Bettys of a copy of the summons attached to a copy of the complaint in the 2nd Township of Fresno County on Mar. 5, 1892
" 17	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant L. L. Bettys in the 2nd Township of Fresno County on Mar. 5, 1892; and it appearing that said defendant L. L. Betty has not answered in said action nor appeared therein in any way nor at all and the legal time therefor to wit: Ten days, has fully expired now therefore on motion of D. M. Seaton attorney for plaintiff, defendants default is duly entered; and on further motion of the said attorney D. M. Seaton judgment is ordered and entered in favor of the plaintiff J. E. Woolittle and against the defendant L. L. Bettys for the sum of $80 00/100 debt and for the sum of $16 80/100 interest and for the sum of $15 00/100 attorney's fee and for the sum of $11 55/100 costs of suit. Justice's fee $7.60 Constable's fee 3.95 $11.55 Total judgment $123 35/100 Done in open Court Mar. 17, 1892 Chas. R. Pinne, Justice of the Peace.
1892 Mar. 28	An execution this day issued.
April 13	The above execution this day returned & filed fully satisfied.

66

No. 66

In the Justice's Court of the Third Township,

County of Fresno State of California.

E. T. Hilton

Plaintiff

vs.

Jno Poor

Defendant

Action for meter sold, labor due and wages wanted

Demand, $ 66 20/100

E. T. Hilton ~~for~~ pro per

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 3	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable (W. A. Black deputy)
April 2	Summons served, returned & filed.
" "	A written offer to allow judgment this day filed.
" 8	Writ of attachment served, returned & filed.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

Wm. R. Thomas
Justice of the Peace.

Rec'd Constable fees

NO. 67

In the Justice's Court of the Third Township,

County of Fresno State of California.

W. Wilkerson

Plaintiff

vs.

F. N. Newell and S. N. Newell (his wife)

Defendant

Action for house rent

Demand, $ 12 50/100

W. Wilkerson in person

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Jan 3	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. E. Ackerman Constable (H. J. F. Jacobsen deputy)
" "	Summons served, returned and filed.
" "	Writ of attachment returned and filed.
	The above action this day dismissed on motion of plaintiff and costs of suit paid.

Rec'd of Constable fees: J. E. Ackerman

David R. Prince
Justice of the Peace.

68

NO. 68

In the Justice's Court of the Third Township,

County of Fresno State of California.

June Bug

Plaintiff

vs.

Geo. W. Fuller

Defendant

Action for work & labor done.

Demand, $4 90/100

H. C. Tupper,
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 4	Complaint filed and summons issued and delivered to Geo. Matthews Constable.
18	Summons returned and filed showing personal service by the officer on the defendant of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar 17, 1892.
25	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Geo. W. Fuller in the 3rd Township of Fresno County on Mar. 17, 1892; and it appearing that said defendant Geo. W. Fuller has not answered in this action nor appeared therein in any way, nor at all, and the legal time therefor, to wit: Five days, has fully expired now, therefor, his default, on motion of H. C. Tupper, Esq. attorney for plaintiff is hereby entered; and on further motion of the said attorney H. C. Tupper, Esq. judgment is ordered and entered in favor of the plaintiff June Bug and against the defendant Geo. W. Fuller for the sum of $4 90/100 debt and for the sum of $5 95/100 Costs of suit.
	Justice fee 3.95 Constables fee 2.00 $5.95 Total judgment $5-4 95/100. Time in open Court Mar. 25, 1892 Chas R. Linn, Justice of the Peace.
Mar 26	Abstract of judgment this day filed in Recorder's Office.
April 2	It appearing to the satisfaction of this Court that the defendant Geo. W. Fuller in the above entitled cause of action made a due, timely and proper appearance by the entry of a general denial (oral) before the time allowed the said defendant by law had expired; and it appearing that said defendant's judgment entered on Mar. 25, 1892 in this Court is irregular

(Continued on Page 69)

April 2, 1892 It appearing to this Court that the defendant (or his attorney) to plaintiff's complaint on file herein and that said action was entered; the Court thereupon made an order (oral) the entry of general denial (oral) be entered nunc pro tunc

NO. 69

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. Imperatrice
Plaintiff

vs.

Chas. Hilton
Defendant

Action for money paid out.

Demand, $ 36 20/100

C. Imperatrice
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 5	Complaint and affidavit and undertaking for writ of attachment this day filed.
" "	Summons and writ of attachment this day issued and delivered to J. B. Ashman Constable.
" 16	Writ of attachment returned & filed showing levy.
" 19	Summons returned and filed showing personal service of a copy of the summons attached to a copy of the complaint on the defendant Chas. Hilton by a deputy sheriff in the County of San Francisco on Mar 17, 1892.

June Thorp vs. Geo. W. Fuller } Continued from page 68.

and improper and entered by mistake; it is now by this Court ordered that said defendant judgment be, + the same is vacated and set aside.

Daniel P. Prune
Justice of the Peace

70

NO. 70

In the Justice's Court of the 3rd Township,

County of Fresno State of California.

M. Madsen — Plaintiff

vs.

C. C. Harris — Defendant

Action on a note

Demand, $28.00 + int thereon from Aug 17 '88 at 1% per mo. + $15.00 attys fee

J. E. Ehrlittle
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 8th	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment this day issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)
" 16	Summons returned and filed showing personal by the officer on the defendant C. C. Harris of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 14, 1892.
" "	Writ of attachment returned & filed showing levy.
" 19	Defendant this day enters a general demurrer to plaintiff's complaint.
" 23	The above demurrer set for argument at 9 A. M. Mar. 25, 1892 and the parties at interest notified thereof.
" 25	The defendant not appearing of the hour set for the argument of the above demurrer nor within an hour thereafter the Court orders, on motion of plaintiff the above demurrer overruled.
" 26	It appearing to this Court that defendants demurrer has been overruled and it appearing that defendant has filed no answer, and refuses to file the same or to make any other appearance than that heretofore stated, therefore on motion of J. E. Ehrlittle attorney for the plaintiff M. Madsen, the defendant C. C. Harris is defaulted is hereby entered; and on further motion of the said J. E. Ehrlittle judgment is entered and entered in favor of the plaintiff M. Madsen and against the defendant C. C. Harris for the sum of $28.00 debt and for the sum of $12.15/100 interest and for the sum of $15.00 attorney's fee and for the sum of $13.10/100 costs of suit.
	Total judgment $68.25/100 Done in Open Court Mar 26, 1892. Chas. B. Phelps, Justice of the Peace.
Mar 26	Execution issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)

NO. 71

71

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. Rolfe and Ella Light Rolfe his wife — Plaintiff

vs.

R. G. Ward — Defendant

Action for board furnished and work and labor done

Demand, $ 234 00/100

O. M. Seaton — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 9	Complaint filed and summons issued and delivered to J. B. Ashman Constable (H. J. F. Jacobsen dep'd)
" 11	Summons returned and filed showing personal service by the Officer on the defendant R. G. Wood of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 10th, 1892
" 14	A written answer and cross complaint this day filed by Frank H. Short, Esq. atty. for defendant.
" 21	The above action set for trial on Mar. 25, 92 at 2 P. M. and the parties at interest notified thereof.
" 25	On motion of attorneys at interest the above trial is postponed until April 2, 1892 at 9 A. M. and a jury trial demanded by defendant.
" "	A subpoena for witnesses for the defendant issued.
April 2	A venire for eighteen jurors this day issued, summoned, returned and filed.
" "	At the hour set the parties at interest are present & the trial proceeds: Messrs. Short & Brady appear for defendant and O. M. Seaton, Esq. for the plaintiff. The following ten jurors are selected, agreed upon, and sworn in to try the issue: A. T. Stearns, H. F. Wakefield, E. R. Smith, T. E. Huff, E. C. Figgins, M. Bilby, E. Combs, J. M. Collins, Chas Worth & H. H. Peterson. Mrs. E. Rolfe and A. Rolfe are thereupon sworn and testify in behalf of the plaintiff; and R. G. Ward, E. F. Ball and Jerry Ryan are sworn and testify in behalf of the defendant. The testimony is submitted without argument and Officer M. A. Black is sworn in and takes charge of the jury. The jury retires and brings in the following verdict "We the jury in the case of Rolfe & Rolfe vs. R. G. Ward find a verdict for the plaintiff in the amount of $240 00 and costs of suit. J. M. Collins Foreman." Whereupon judgment is ordered and entered in favor of the plaintiffs A. Rolfe and E. Rolfe and against the defendant R. G. Ward

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72

NO. 72

In the Justice's Court of the Third Township,

County of Fresno State of California.

Annie M. Grady

Plaintiff

vs.

Geo. Matheson

Defendant

Action replevin

Demand, $1 return of horse or $99.00 the value thereof & $100.00 damages.

W. D. Grady

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 9	Complaint in claim and delivery of personal property this day filed and summons issued.
" 14	Parties Cory & Maltbie this day come into Court and enter a general demurrer (oral) to plaintiff's complaint.

NO. 73

73

In the Justice's Court of the Third Township,

County of Fresno State of California.

Jas Patterson — Plaintiff

vs.

Wm Dunlap — Defendant

Action on a note

Demand, $ 185 00/100 & int at 1% per mo. from Aug. 5, 1891 & fee $25 00/100 atty fee.

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 10	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment this day issued and delivered to J. B. Ackman Constable (H. J. T. Jacobsen deputy)
" 11	Summons returned and filed.
" "	Writ of attachment returned & filed.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Dante R. Prince,
Justice of the Peace.

A. Rolfe et al
vs.
R. G. Word

(Continued from page 71)

Rec'd demand, fees & M. Seaton atty for Pltff

for the sum of $40 00/100 debt and for the sum of $30 35/100 costs of suit.

Justice fee = $7.75
Constable's fees = 2.60
$10.35
Jury's fee 20.00
$30.35

Total judgment $70 35/100

Done in open Court April 2, 1892.

Dante R. Prince,
Justice of the Peace.

1892
April 2 Defendant granted a ten day stay of execution.
" 15 The above judgment this day satisfied in full by defendant.

D. R. Prince

74

NO. 74

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. D. Todd

Plaintiff

vs.

L. J. Harms

Defendant

Action for money loaned

Demand, $135 00/100

Strother & Webb
Attorney for Plaintiff

J. P. Munz
Attorney for Defendant

DATE.	PROCEEDINGS.
Mar. 11 1892	Complaint filed and summons issued and delivered to J. G. Ashman Constable.
" "	Summons returned and filed showing personal service by the Officer on the defendant L. J. Harms of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 11th 1892.
" 14	J. P. Munz, Esq. atty for deft Comes into court this day and enters a general denial (oral) to plaintiff's complaint.
" 15	The above action set for trial on Mar. 17, 1892 at 9.30 A. M. and the parties & interest notified thereof.
" 17	Defendant by leave of the Court files a cross complaint and counterclaim. Plaintiff enters a general denial (oral) & the hour set the parties & interest are present and the trial proceeds. J. D. Todd is sworn and testifies in his own behalf: L. J. Harms is sworn and testifies in his own behalf. The plaintiff calls Mrs J. D. Todd in rebuttal and she is sworn and testifies. The testimony is thereupon argued & submitted to the Court and by the Court taken under advisement.
April 7	J. P. Munz, Esq. attorney for the defendant moves the Court to reopen the case because of newly discovered evidence. Motion denied.
" 8	The Court this day finds for the plaintiff in the sum of One hundred and ten Dollars. Whereupon judgment is ordered and entered in favor of the plaintiff J. D. Todd and against the defendant L. J. Harms for the sum of $110 00/100 debt and for the sum of $2 20/100 witness fees and $11 00/100 costs of suit.

Justice's fee = $9.00
Constable's fee = 2.00
$11.00

Total judgment $123 20/100

Done in open Court April 8, 1892.

Dante R. Prince,
Justice of the Peace.

April 8 92 Notice of appeal this day filed.
" " Undertaking on appeal this day filed.
" " Justice's fee paid & all papers herein transmitted to the Superior Court.

NO. 25

75

In the Justice's Court of the Third Township,

County of Fresno State of California.

The Farmers Bank of Fresno
a corporation
Plaintiff

vs.

Ed F. Winchell and E. C. Winchell

Defendants

Action on a note

Demand, $ 200.00 & int at 1½% per mo. from May 17, 1889 com. quarterly. & for $30.00 Atty fee.

Tupper & Tupper
Attorneys for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 15	Complaint filed and summons issued and delivered to J. G. Ashman Constable. (M. A Black deputy)
" 16	Summons returned & filed showing service on Mar 15, 92.
" "	An alias summons issued and delivered to J. G. Ashman Constable.
" "	The alias summons served, returned and filed
April 8	The above action this day dismissed on motion of plaintiff's attorneys and costs paid.

Dante R. Rinaldi,
Justice of the Peace.

76

NO. 76

In the Justice's Court of the Third Township,

County of Fresno State of California.

Sing Chong Lum Kan Kee
Plaintiff

vs.

Wm. Laing Malcolmson
Defendant

Action on a note

Demand, $130.00/100 + legal interest from Aug 5, 89, + for $40.00/100 atty's fee.

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 16	Complaint filed and summons issued and delivered to J. S. Ashman, Constable. (H. J. T. Jacobsen deputy)
" 18	Summons returned and filed showing personal service by the officer on the defendant Wm. Laing Malcolmson of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on March 17, 1892.

No. 77

77

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. H. Abbott — Plaintiff

vs.

C. B. Pond — Defendant

Action for work & labor done

Demand, $ 80 00

J. H. Abbott — Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 16	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued & delivered to J. S. Ashman Constable (S. S. Crutcher deputy)
" 19	Summons returned and filed showing personal service by the Officer on the defendant C. B. Pond of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 19, 1892.
" 25	It appearing to this Court from the return of the Officer indorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said Officer on the said defendant C. B. Pond in the 3rd Township of Fresno County on March 19, 1892; and it appearing that the said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully elapsed since the service on motion of J. H. Abbott defendants default is hereby entered; and on further motion of said plaintiff judgment is rendered and entered in favor of the plaintiff J. H. Abbott and against the defendant C. B. Pond for the sum of $80 00/100 debt and for the sum of $21 95/100 costs of suit. Justice fee = $6.95 Constables fee 15.00 / 21.95 Total judgment $29 95/100 Done in open Court Mar 25, 1892 Said amount. J. H. Abbott Daniel C. Pinn, Justice of the Peace.
Mar. 25	The above judgment this day satisfied in full. Daniel C. Pinn J. P.

78

NO. 78

In the Justice's Court of the Third Township,

County of Fresno State of California.

G. Brainard

Plaintiff

vs.

Wm. Laing Malcolmson

Defendant

Action on a note

Demand, $ 25.00 & int from Jan 8, 1889 at 1% per mo. & $25.00 atty fees.

D. M. Seaton

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 16	Complaint filed and summons issued and delivered to J. G. Ashman Constable (H. J. T. Jacobsen deputy)
" 18	Summons returned and filed showing personal service by the officer on the defendant Wm. Laing Malcolmson of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on March 17, 1892.

NO. 79

In the Justice's Court of the Third Township,

County of Fresno State of California.

Oscar Greenbaum

Plaintiff

vs.

W. Jones

Defendant

Action on account

Demand, $ 41 50/100

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
Mar 1892 17	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable (H. J. T. Jacobsen deputy.
" 17	Summons returned & filed showing personal service.
" 18	Writ of attachment returned & filed showing levy.
" 21	On motion of plaintiff the above action this day dismissed and costs paid.

David R. Prince,
Justice of the Peace.

80

NO. 80

In the Justice's Court of the Third Township,

County of Fresno State of California.

H. B. Chase — Plaintiff

vs.

T. F. Islip et al. — Defendant

Action Bill of Exchange

Demand, $ 60.00 + int at 7% per annum from Jan 18, 91

Strother & Webb
Attorney for Plaintiff

Gordon, Jacobs & Jones
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 18	Complaint filed and summons issued and delivered to J. B. Ackman Constable.
" 23	Summons returned and filed showing as follows: Service of a copy of the summons in the 3rd Township of Fresno County by the officer on the defendant A. Abrams on Mar. 22, 1892; a copy of the summons at the same ~~time~~ and place on the defendant J. Cleveland on Mar. 23, 1892; and a copy of the summons on the defendant M. L. White at the same place on Mar. 23, 1892; and a copy of the summons attached to a copy of the complaint on the defendant T. F. Islip in the County of San Francisco on Mar. 19, 1892 by officer D. R. Carey.
" "	Defendants through their attorneys Messrs Gordon Jacobs & Jones enter a general demurrer to plaintiff's complaint.
April 4	The above demurrer set for argument on April 7, 1892 at 9.30 A. M. and the parties at interest notified thereof.
" 7	At the hour set for argument the above demurrer is overruled and plaintiff consents entering a general denial (oral) to plaintiff's complaint.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

Daniel R. Prince,
Justice of the Peace.

Rec'd on Execution 9th $6.95

No. 81

In the Justice's Court of Third Township,

County of Fresno State of California.

Peter Kearney — Plaintiff

vs.

W A Burnside — Defendant

Action for services rendered

Demand, $ 32.55

D M Seaton — Attorney for Plaintiff

Attorney for Defendant

1892

DATE.		PROCEEDINGS.
Mch	19	Complaint filed and summons issued and delivered to J. G. Ashman, Constable & H. J. T. Jacobsen, Dep'y.
"	19	Affidavit and undertaking for writ of attachment this day filed and writ of attachment issued and delivered to Offr Jacobsen.
"	28	Summons returned and filed showing personal service by the Offrs on the defendant W. A. Burnside of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on March 24th 1892.
"	"	Writ of attachment served & filed showing levy.
"	"	It appearing to this Court from the return of the Offrs indorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said Offrs on the said defendant W. A. Burnside in the 3rd Township of Fresno County on March 24th 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way, nor at all and the legal time therefor to wit: Five days has fully expired now therefore his default is hereby entered on motion of D. M. Seaton, attorney for plaintiff; and on further motion of said D. M. Seaton judgment is ordered and entered in favor of the plaintiff Peter Kearney and against the defendant W. A. Burnside for the sum of $32 55/100 debt and for the sum of $14 15/100 costs of suit.
		Justice fee $6.95 — Total judgment: $46 70/100
		Constables fee 7.20 — $14.15
		Done in Open Court Mar. 28, 1892
		Chas. R. Prince, Justice of the Peace.
Mar 28	1892	Execution issued and delivered to J. G. Ashman, Constable.
April 8		An assignment of judgment by plaintiff to H. J. T. Jacobsen this day filed.

Rec'd on Justice's fee $6.95
Constables fee $7.20 Mand.

82

No. 82

In the Justice's Court of the Third Township,

County of Fresno State of California.

Andrew Racker

Plaintiff

vs.

J. M. Garrett

Defendant

Action for work & labor done

Demand, $ 18^{00}

Andrew Racker
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
Mar 19 1892	Complaint and affidavit and undertaking for writ of attachment this day filed.
" "	Summons and writ of attachment issued and delivered to J. S. Coleman Constable.
" 21	Summons served, returned and filed.
" "	Writ of attachment served returned & filed.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

Dayton R. Thomas,
Justice of the Peace.

NO. 83

In the Justice's Court of the Third Township,

County of Fresno State of California.

M. Anglian *Plaintiff*

vs.

Capt Fortuney *Defendant*

Action for board

Demand, $ 13 20/100

M. Anglian
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 19	Complaint and affidavit and undertaking for writ of attachment this day filed.
" "	Summons and writ of attachment this day issued and delivered to J. G. Ashman Constable (S. S. Crutcher deputy)
" 21	Summons returned and filed showing personal service by the officer on the defendant (whose true name as stated in Court is C. L. Fortenan) of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on Mar. 19, 1892.
" 22	The above action this day dismissed on motion of plaintiff and costs paid.

David C. Pinn
Justice of the Peace.

84

NO. 84

In the Justice's Court of the Third Township,

County of Fresno State of California.

Gus. Hansen *Plaintiff*

vs.

Thos. Jansen *Defendant*

Action for work and labor done.

Demand, $ 114 00/100

Frank H. Short
Attorney for Plaintiff

Austin & Drew
Attorneys for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 22	Complaint filed and summons issued and delivered to J. G. Ackman Constable.
June 1st	Defendant came into Court this day and by his attorneys Messrs Austin & Drew enters a general denial (oral) to plaintiff's complaint.
" "	The above action set for trial on June 15, 1892 at 9 A. M. and the parties at interest notified thereof.
" 15	At the hour set the parties at interest are present and the trial proceeds: A. M. Drew appears for the defendant and F. H. Short for the plaintiff. Gus. Hansen, M. M. Parmer, R. Garcia and R. P. Jansen are sworn and testify in behalf of the plaintiff; and Thos. Jansen and Geo. Kohler and A. Crew are sworn and testify in behalf of the defendant. After argument by the attorneys herein the Court takes the matter under advisement.
July 25	The Court this day finds for the plaintiff and notifies the attorneys of the parties at interest. Whereupon judgment is rendered and entered in favor of the plaintiff Gus. Hansen and against the defendant Thos. Jansen for the sum of $57 00 debt and for the sum of $7 00 costs of suit and for the sum of $8 60 witness fees. Justice's fee = $3.00 Total judgment $72 60 Constable's fee = Done in open Court July 25, 1892. Dante R. Drew Justice of the Peace.
Sept 30 1892	Execution issued & delivered to J. G. Ackman Constable.
Aug 16 1893	Abstract of judgment made for Plaintiff & delivered to him.

NO. 85

In the Justice's Court of the Third Township,

County of Fresno State of California.

Gen. S. Martin
Plaintiff

vs.

E. A. Brunson
Defendant

Action for Issue rent

Demand, $ 18 00

Attorney for Plaintiff

Austin & Drew
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 23	Complaint and affidavit and undertaking for writ of attachment this day filed; and Summons and writ of attachment issued and delivered to J. S. Ackman Constable.
" "	Defendant this day, through his attorneys Messrs Austin & Drew, enters a general demurrer to plaintiffs complaint.
" "	Summons served, returned and filed.
" 24	The above demurrer set for argument on Mar. 26, 92 at 9.30 A. M. and the parties of interest notified thereof.
" 26	The above demurrer this day overruled by consent of defendants attorneys and defendant given two days in which to answer.
" "	Defendants attorneys this day enter a general denial to plaintiffs complaint. A written offer to allow judgment this day filed by deft.
" "	The above action set for trial on April 1st, 1892 at 10 A. M. and the parties of interest notified thereof.
April 1st	At the hour set the parties of interest are present and the trial proceeds. H. H. Welch, Esq. appears for the plaintiff Messrs Austin & Drew for the defendant. Motion by plaintiff to amend his complaint allowed. Mrs. Carrie Martin and J. W. Ruddick are sworn and testify in behalf of the plaintiff; and E. A. Brunson and Mrs. E. A. Brunson are sworn and testify in behalf of the defendant; and Gen. S. Martin, Carrie Martin and Mrs. Manuel are sworn and testify in rebuttal for plaintiff. Hereupon the testimony is argued and submitted to the Court for consideration. The Court finds for the plaintiff. Whereupon judgment is rendered and entered in favor of the plaintiff Gen. S. Martin and against the defendant E. A. Brunson for the sum of $18 00 debt and for the sum of $14 40/100 costs of suit. Justice's fee $9.50 Constable fee 4.90 14.40 Total judgment $32.40 Done in open Court April 1st 1892 Chas. A. Dunn Justice of the Peace.
" "	Defendant granted a five day stay of execution
" 7	Defendant granted a further stay of execution for five days.

86

NO. 86

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. H. Henderson — Plaintiff

vs.

Chas. Hoffman — Defendant

Action for goods & merchandise

Demand, $ 20 05/100

J. E. Elwell

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 24	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. D. Coleman Constable (H. J. T. Jackson deputy)

Rec'd Constable's fees $1.00
Dec 15, 1892

No. 87

In the Justice's Court of the Third Township,

County of Fresno State of California.

Jno Ivey

Plaintiff

vs.

Sam Cen

Defendant

Action for money loaned.

Demand, $ 90 00/100

Tupper & Tupper
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 25	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to H. C. Tupper Esq.
April 8	Summons returned and filed showing personal service of a copy of the summons attached to a copy of the complaint with a certificate of the County Clerk of Fresno County attached thereto on the defendant Sam Cen in the County of Tulare on Mar. 29, 1892 by Geo. W. Witty a deputy sheriff of Tulare County.
" "	Writ of attachment returned & filed showing levy.
" 19	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant in the County of Tulare State of California on Mar. 29, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Twenty days has fully expired now therefore his default is hereby entered and on motion of H. C. Tupper Esq. attorney for the plaintiff, defendant Sam Cen's default is hereby entered; and on further motion of the said plaintiff's attorney judgment is ordered and entered in favor of the plaintiff Jno Ivey and against the defendant Sam Cen for the sum of $90 00/100 debt and for the sum of $11 95/100 costs of suit.
	Justice's fee $ 6.95 — Total judgment $ 101 95/100
	Constable's fee 5.00 — Done in open Court April 19, 1892
	$ 11.95
	David R. Rice, Justice of the Peace.
1892 April 14	Abstract of judgment this day issued.
" 23	Execution returned & filed partially satisfied. (Amt to credit on Ex. $ 92 66)

Recd May 31, 92 Justice Fees Paid. Expense

88

NO. 88

In the Justice's Court of the Third Township,

County of Fresno State of California.

John Clitheroe
Plaintiff

vs.

M. M. Voice and
W. V. Voice
Defendant

Action on a note

Demand, $ 39 00/100 + int due and $25 00/100 attys fee.

J. E. Hewlett
Attorney for Plaintiff

E. W. Risley
Attorney for Defendant.

DATE.	PROCEEDINGS.
1892 Mar 28	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Aikman Constable (H. F. Jacobs deputy).
April 1st	Summons returned + filed showing proper service by the officer on the defendant W. V. Voice and the defendant M. M. Voice in the 3rd Township of Fresno County on Mar. 28, 1892.
" "	(By error return of above summons inserted in docket prior to this order of Court.) It appearing to the Court that the defendant W. V. Voice is a minor over 14 years of age. Now upon his own application + before summons is returned herein or answer filed it is ordered that Jane Doe Voice be and she is hereby appointed guardian ad litem of said M. V. Voice for all the purposes of this suit.
" "	Defendant M. M. Voice by his attorney E. W. Risley files an answer to plaintiff's complaint.
" 5	A subpoena for a witness for the plaintiff this day issued and the action set for trial on April 8, 1892 at 9.30 A.M.
" 8	The writ of attachment returned + filed showing levy.
" "	The above subpoena returned and filed.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Justice of the Peace.

No. 89

In the Justice's Court of the Third Township,

County of Fresno State of California.

S. Chambers — Plaintiff

vs.

D. H. Fuller — Defendant

Action on a note

Demand, $13.50 + int at 7% from June 23/91 and $15.00 atty's fee.

S. Jackson
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 28	Complaint filed and summons issued and delivered to J. S. Ackman, Constable.
April 29	Summons returned & filed showing personal service by the officer on the defendant D. H. Fuller of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 27, 1892.
July 29	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant D. H. Fuller in the 3rd Township of Fresno County on April 27, 1892; and it appearing that said defendant has not answered in said action nor appeared therein in any way nor at all, and the legal time therefor to wit: Five days has fully expired, now therefore this default is hereby entered on motion of S. Jackson Esq. Attorney for the Plaintiff; and on further motion of the said Attorney, judgment is ordered and entered in favor of the Plaintiff S. Chambers and against the defendant D. H. Fuller for the sum of $13.50 debt, and $5.00 Attorney's fee, and $1.00 interest and $9.55 costs of suit. Justice fee $5.80 Constable fee 3.75 9.55 Total judgment $39.05 Done in Open Court July 29, 1892. Walter Wright Justice of the Peace.
1892 July 29	Execution issued and delivered to J. S. Ackman Constable.
Sept 29	Execution returned & filed unsatisfied.

90

NO. 90

In the Justice's Court of the Third Township,

County of Fresno State of California.

B. S. Gunn — Plaintiff

vs.

Wm. Applegarth — Defendant

Action assigned account

Demand, $ 23 00/100 + int at 7% per annum from Mar 28 1892

L. L. Cory and L. W. Ivultrie
Attorney for Plaintiff

Tupper & Tupper
Attorney for Defendant

DATE.		PROCEEDINGS.
1892 Mar.	28	Complaint filed and summons issued and delivered to J. B. Ashman Constable.
April	20	Summons returned & filed showing personal service by the officer on the defendant Wm. Applegarth of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 16th, 1892.
"	"	A written demurrer to plaintiffs complaint this day filed by Tupper & Tupper for the defendant.
May	23	The above demurrer set for argument at 9 A. M. May 27, 92.
"	27	At the hour set the demurrer is taken up and by the Court overruled and defendant given two days in which to answer.
"	31	Defendant this day enters a general denial to plaintiffs complaint
"	"	The above action set for trial on June 9, 92 at 2 P. M. and the parties at interest notified thereof.
June	7	The above action this day dismissed on motion of plaintiff and costs paid.

Daniel C. Prince,
Justice of the Peace.

NO. 91

In the Justice's Court of the Third Township,

County of Fresno State of California.

Joseph Burns — Plaintiff

vs.

Sing Kee — Defendant

Action for wages sold and delivered.

Demand, $ 20 60/100

Strother & Webb.
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar 29	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
" "	Summons served, returned and filed.
" "	Writ of attachment returned & filed showing levy.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

Agustus C. Rivers,
Justice of the Peace.

92

No. 92

In the Justice's Court of the Third Township,

County of Fresno State of California.

Oscar Greenbaum
Plaintiff

vs.

Church Bros.
Defendants

Action Accepted & order

Demand, $101 30/100

O. M. Seaton
Attorney for Plaintiff

A. L. Evans
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 30	Complaint filed and summons issued and delivered to J. B. Ackman Constable (H. J. Jacobsen deputy)
April 4	A written demurrer this day filed by A. L. Evans for defendants.
April 7	Summons returned and filed showing personal service by the officer on the defendant John Church of a copy of the summons attached to a copy of the complaint; and on the defendant Geo. F. Church of a copy of the summons; both of said defendants served in the 3rd Township of Fresno County on March 30, 1892.
(By error)	It appearing to this Court from the return of the officer indorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant John Church in the 3rd Township of Fresno County on Mar. 30, 1892; and a copy of the summons at the same time and place on the defendant Geo. F. Church; and it appearing that said defendants have not answered in this action, nor appeared therein in any way nor at all and the legal time therefor, to-wit: Five days has fully elapsed, now therefore on motion of O. M. Seaton attorney for the plaintiff, defendant John Church's and defendant Geo. F. Church's default is this day entered; and on further motion of the said attorney O. M. Seaton judgment is rendered and entered in favor of the plaintiff Oscar Greenbaum and against the defendants John Church and Geo. F. Church for the sum of $101 30/100 debt and for the sum of $7 45/100 costs of suit.
	Justice's fee 3.95 Constable's fee 3.50 7.45 Total judgment $108 75/100 Done in open Court April 7, 92 Chester R. Rowe Justice of the Peace.
	(The above default judgment entered by mistake.)

(Continued on opposite page)

NO. 93

In the Justice's Court of the Third Township,

County of Fresno State of California.

Geo. A. Graham
Plaintiff

vs.

Irving
Defendant

Action for board

Demand, $ 5-00/100.

Jos. Gallagher, Hy. Austin & S. W. Jones
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 Mar. 31	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ackman Constable (S. S. Crutcher deputy)
" "	Summons served, returned and filed.
" "	Writ of attachment returned & filed showing levy.
" "	On motion of plaintiff the above action is this day dismissed and costs paid. Wyatt C. Prime, Justice of the Peace.
	Oscar Grunbaum vs. Church Bros. } Continued from opposite page.
April 1892 8	The above demurrer set for argument on April 9, 1892 at 2 P. M. and the parties at interest notified thereof.
" 9	The arguing of the above demurrer continued until April 12 1892 at 9.30 A. M.
" 12	At the hour set the parties at interest are present and by the consent of A. L. Everts, Esq. attorney for the defendants the above demurrer is this day overruled.
"	Defendants this day enter a general denial (oral) to plaintiff's complaint.
" "	Defendants this day move the Court for a change of venue and file a written affidavit in support thereof. The Court grants the said motion and orders this said action transferred and the same is transferred for trial to the Justice's Court of W. D. Crichton of the 3rd Township of Fresno County, State of California. Wyatt C. Prime, Justice of the Peace.

Rec'd Papers in case. Wyatt C. Prime

94

NO. 94

In the Justice's Court of the Third Township,

County of Fresno State of California.

L. A. Stephens + Bean

Plaintiff

vs.

R. Hutchbach

Defendant

Action on a/c

Demand, $ 53 00/100

L. A. Stephens

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 1892 1st	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to Sac. Mathews Constable.
" 2	Summons returned & filed.
" "	Writ of attachment returned & filed.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Agustus C. Pierce,
Justice of the Peace.

San Luis Obispo +
Dec 6/1892

NO. 95

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chas. Larsen *Plaintiff*

vs.

Alice Rea

Action on a note.

Demand, $ 149.60 + int at 10% from Sept. 30/91 + $40 = atty's fee

O. M. Leaton.
Attorney for Plaintiff

Graham & Perry
Attorney for Defendant

206.80
.07
14.4760
206 80
221.27
.07
15.4889
221 27
236.76

DATE.		
1892		
April 7	Cl	...ntaking for writ of ...mmons and writ ...ued to J. G. Ashman ...le)
" 11	S...	...uned service by ...Rea of a copy of the ...of the complaint & ...County on April 8, 192 ...& filed Morning Leg. ...en attorneys Memo ...e denial (ord) to ...that any sum greate ...orney's fee; and allege ...month "in said note ...per annum".
" "	M...	
" 13	Cl...	
" 14	P...	...on April 22, 1892 ...interest notified thereof. ...interest are present ...by the defendant
" 22	A...	
		...for the plaintiff's ...d, for the sum of $149.60 debt and for the sum of $25.00 atty's fee, + costs of suit. Wherefore judgment is therefore rendered and entered in favor of the plaintiff Chas. Larsen and against the defendant Alice Rea for the sum of $149.60 debt and for the sum of $8.40 interest, and for the sum of $25.00 atty's fee and for the sum of $21.30 costs of suit.
		Justice's fee $ 6.50 Total judgment $204.30
		Constable fee $14.80 $21.30 Done in open Court April 22, 1892
		Dante R. Prince, Justice of the Peace.
1892		
May 25	Execution issued and delivered to J. G. Ashman Constable. (H. J. T. Jacobsen deputy)	
Sept 7	Jan alias execution issued.	
" 13	Alias execution returned + filed unsatisfied.	

Dec 6, 1894 Abstract of judgment made & delivered
Mch 5, 1895 " "
Jan alias abstract

94

NO. 94

In the Justice's Court of the Third Township,

County of Fresno State of California.

L. A. Stephens + Bean

Plaintiff

vs.

R. Hutterbach

Defendant

Action on a/c

Demand, $ 53 00/100

L. A. Stephens

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 1892 1st	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attach... to Sac. Mathews Constable
" 2	Summ...
" "	Writ of...
" "	The de... on motion of plain...

Dec 6, 1892 San Luis Obispo +

NO. 95

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chas. Larsen — Plaintiff

vs.

Alice Rea — Defendant

Action on a note.

Demand, $ 149.60 + int at 10% from Sept. 30/91 + $40 atty's fee

O. M. Leaton. — Attorney for Plaintiff

Graham & Perry — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 7	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Atkinson Constable (H. J. T. Jacobsen Constable)
" 11	Summons returned + filed showing personal service by the officer on the defendant Alice Rea of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 8, 92
" "	Writ of attachment returned + filed showing levy.
" 13	Defendant this day through her attorneys Messrs Graham + Perry enter a general demurrer (oral) to plaintiff's complaint: Claims that any sum greater than $20.00 is a reasonable attorney's fee; and alleges that the words "ten per cent per month" in said note were meant to read "ten per cent per annum".
" 14	The above action set for trial on April 22, 1892 at 9.30 A.M. and the parties at interest notified thereof.
" 22	At the hour set the parties at interest are present and by consent of the attorney for the defendant judgment is allowed to be entered for the plaintiff for the sum of $149.60 debt and for the sum $8.40 interest and for the sum of $25.00 atty's fee + costs of suit. Wherefore judgment is thereupon rendered and entered in favor of the plaintiff Chas. Larsen and against the defendant Alice Rea for the sum of $149.60 debt and for the sum of $8.40 interest, and for the sum of $25.00 atty's fee and for the sum of $21.30 costs of suit.

Justice's fee $ 6.50 — Total judgment $204.30

Constable fee $14.80 — $21.30

Done in open Court April 22, 1892

Dante R. Prince,

Justice of the Peace.

1892 May 25 Execution issued and delivered to J. G. Atkinson Constable. (H. J. T. Jacobsen deputy)

Sept 7 Jan alias execution issued.

" 13 Alias execution returned + filed unsatisfied.

Dec 6. 1894. Abstract of judgment made + delivered to The Irish Co. 1895 —

Jan. 1895 abstract

96

NO. 96

In the Justice's Court of the Third Township,

County of Fresno State of California.

The Edison Electric Light & Power Co. – a corporation. Plaintiff

vs.

J. Huber Defendant

Action for moderate.

Demand, $ 39 30/100

Frank H. Short Attorney for Plaintiff

J. P. Irwin Attorney for Defendant

DATE.		PROCEEDINGS.	
April	1892 7	Complaint filed and summons issued and delivered to J. G. Ashman Constable.	
"	9	Summons returned & filed showing personal service by the officer on the defendant J. Huber of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 8, 1892.	
"	"	Defendant through his attorney J. P. Irwin, Esq. enters a general denial to plaintiff's complaint.	
"	15	The above action this day dismissed on motion of plaintiff and costs paid. Agustus C. Finn. Justice of the Peace.	

Chicago Cottage Organ Co
vs
Geo A Armstrong & Co

From pg 97—

		is by the Court taken under advisement	30
Apr	7	Defendants files opening brief	25
"	12	Plaintiff files brief	25
"	20	Defendant files reply brief	25
May	25	The Court this day finds for the plaintiff in the sum of $28.00	25

Whereupon Judgment is here rendered and entered herein in favor of the plaintiff Chicago Cottage Organ Co and against the defendants Geo A. Armstrong & Co, a partnership consisting of Geo A. Armstrong and D F Armstrong, for the sum of twenty eight dollars ($28.00) and for costs of suit herein taxed at $13.40 Total Judgment $41.40 1.00 11.00

Done in open Court this 25th day of May 1893—

H. Austin Justice of the Peace—

Costs shown 1st on face

July	31	Execution issued and delivered to Wm Show	1.20
Aug	22	The above execution is this day returned fully satisfied	

No. 97

97

In the Justice's Court of the Third Township,

County of Fresno State of California.

Chicago Cottage Organ Company a corporation — Plaintiff

vs.

Geo. A. Armstrong & Co. a partnership composed of D. F. Armstrong & Geo. A. Armstrong — Defendant

Action for an organ sold & delivered.

Demand, $ 50 00

Frank H. Short — Attorney for Plaintiff

Geo. A. Monroe — Attorney for Defendant

DATE.		PROCEEDINGS.	
1892			
April	7	Complaint filed and summons issued and delivered to J. B. Ashman Constable.	
"	9	Summons returned & filed showing personal service by the officer on the defendant of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 9, 1892.	
"	13	A written answer this day filed for defendant by Geo. A. Monroe, Esq. attorney at law.	1.75
1893-			
Feb	20	On motion of plaintiff cause set for trial Feb 24, 1893 at 9 a.m.	50
	24	By consent. trial of above cause continued to Mch 11, 1893 at 1. P.M.	50
Mch	11	at the time set Cause is continued to this day at 5. P.M.	50
"	11	5 P.M. The parties are all present in Court and it is agreed that G. F. Freeman a witness for the defendant may be sworn and testify at this time Said witness is sworn and testifies in behalf of the defendant. and by agreement it is ordered that the trial of this cause be continued indefinitely	1.75
"	20	On Motion of plaintiffs above cause set for trial Apr 1. 1893 at 2 P.M.	50
Apr	1	at the time set all parties are present in Court and the plaintiff moves the Court for permission to Amend its complaint by inserting the word "Chicago" before the word "Cottage" in the title of this action. The motion is granted and the amendment made by interlineation	50
		The plaintiff offers certified copy articles of incorporation of the plaintiff and the same are received in evidence and marked "Exhibit" 1. The plaintiff offers bundle of letters and answers to same which have passed between the parties hereto and the same are received & filed in evidence and marked "Exhibit 2", whereupon the plaintiff rests. Carleton Curtis, John G Willis D F Armstrong and G. A. Armstrong are sworn and testify in behalf of the defendants and blank warranty offered and received in evidence and marked Defts "Ex A." The cause is argued and submitted on briefs. and the matter	

98

No. 98

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. A. Higginbotham
Plaintiff

vs.

R. E. Aplin
Defendant

Action on a/c.

Demand, $ 4 80/100

J. C. Higginbotham
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 9 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable (H. J. T. Jacobsen deputy.)
" "	Summons returned and filed showing personal service by the officer on the defendant R. E. Aplin of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 9, 92.
" "	Writ of attachment returned and filed showing levy.
" 14	A written answer this day filed for defendant by his attorney A. M. Armstrong.

NO. 99

In the Justice's Court of the Third Township,

County of Fresno State of California.

Willet Gates

Plaintiff

vs.

Ben Breese

Defendant

Action for horse pasture.

Demand, $ 27.00

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 11	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable.
" 12	Summons returned and filed showing personal service by the officer on the defendant Ben Breese of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 11th 1892.
" 23	Writ of attachment returned & filed showing levy.
" "	The above action on motion of plaintiff this day dismissed and costs paid.

Ogden C. Pierce,
Justice of the Peace.

100

No. 100

In the Justice's Court of the Third Township,

County of Fresno State of California.

Wm Gowanlock
Plaintiff

vs.

J. C. McDougall and
Henry Clark
Defendant

Action for work & labor.

Demand, $ 113 00

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 12 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
" 13	Summons returned & filed showing levy.
" "	Writ of attachment returned & filed showing levy.
" "	The above action this day dismissed on motion of plaintiff and costs paid. Ignatius R. Thomas, Justice of the Peace.

No. 101

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. H. Thomas — Plaintiff

vs.

John F. Hamilton — Defendant

Action on a note

Demand, $ 66.00 and $ 26.00 interest.

J. H. Thomas
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 14	Complaint filed and summons issued and delivered to J. B. Ashman Constable.
" 15	Summons returned and filed showing personal service by the officer on the defendant John F. Hamilton of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 14, 1892

No. 102

In the Justice's Court of the Third Township,

County of Fresno State of California.

Frank Hambley, Plaintiff

vs.

C. H. Rosemeyer, Defendant

Action for money loaned

Demand, $ 76 48/100

Geo. E. Church
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 14	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable.
May 28	Summons returned and filed showing personal service by the officer on the defendant C. H. Rosemeyer of a copy of the summons attached to a copy of the complaint in the 4th Township of Fresno County on May 27, 1892.
June 7	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant in the 4th Township of Fresno County on May 27, 1892; and it appearing that the said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor (ten days) has fully expired, now therefore on motion of the attorney for the plaintiff, defendant's default is hereby entered; and on further motion of plaintiff's attorney, judgment is rendered and entered in favor of the plaintiff Frank Hambly and against the defendant C. H. Rosemeyer for the sum of $76 48/100 debt and for the sum of $14 55/100 costs of suit.
	Justice's fee: $ 6.95 Total judgment $ 91 03/100
	Constable fee: 7.60
	$ 14 55/100
	Done in Open Court June 7, 1892.
	Dan'l R. Stine, Justice of the Peace.
1892 June 7	Execution issued and delivered to J. S. Ashman Constable.
" 8	Writ of attachment returned & filed showing levy.
" "	Execution returned & filed partly satisfied. (Amt rec'd $ 38 65/100)
" 21	Execution issued & delivered to J S Ashman Constable
2/2	$ 1 25/100 paid by Constable for Execution

NO. 103

In the Justice's Court of the Third Township,

County of Fresno State of California.

Ideal Clothing House
Plaintiff

vs.

Dr. F. M. Spurgle
Defendant

Action for rent.

Demand, $ 20 50

Maurice Rothschild
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 16	Complaint filed.
July 20	Affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable (for Ward deputy)
" 21	Summons returned & filed showing personal service by the officer on the defendant of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on July 20, 192.
" "	Writ of attachment returned & filed showing levy.
" 26	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Dr. F. M. Spurgle in the 3rd Township of Fresno County on July 20, 1892; and it appearing that said defendant has not answered in said action nor appeared therein in any way, nor at all, and the legal time therefor to wit: Five days, has fully expired, now therefor on motion of the attorney for the plaintiff herein Maurice Rothschild, Esq., defendants default is hereby entered; and on further motion of the said plaintiff's attorney judgment is rendered and entered in favor of the plaintiff the Ideal Clothing House and against the defendant Dr. F. M. Spurgle for the sum of $20 50/100 debt and for the sum of $12 45 costs of suit.

Justice fee $6 25
Constables fee 5.50
12.45

Total judgment $32 95

Done in open court July 26, 1892.

Dante R. Prine
Justice of the Peace

July 1892 26 Execution issued and delivered to J. G. Ashman Constable.
Aug 1st Execution returned & filed satisfied.

No. 104

In the Justice's Court of the Third Township,

County of Fresno State of California.

W. A. Fisher

Plaintiff

vs.

George Matheson

Defendant

Action Replevin suit

Demand, $

Church & Wolter
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 18 1892	Complaint & claim and delivery of personal property this day filed. Summons issued.

NO. 105

In the Justice's Court of the Third Township,

County of Fresno State of California.

G. L. Fisher
Plaintiff

vs.

Geo. Heathman
Defendant

Action replevin suit

Demand, $

Church & Wolfen
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 18 1892	Complaint in claim and delivery of personal property this day filed. Summons issued.

106

No. 106

In the Justice's Court of the Third Township,

County of Fresno State of California.

Smyth & McArdle
Plaintiff

vs.

J. C. Case
Defendant

Action on a note Const 14,10

3.50
2.25
1.75

Demand, $ 37 89/100

& Tupper / Tupper

James McArdle
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
April 19 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ackman Constable.
" 23	Summons returned and filed showing personal service by the officer on the defendant J. C. Case of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 22, 1892
	Writ of attachment returned & filed showing levy.
~~May~~ 23 1893	It appearing to the Court from the return of the officer that a copy of the summons herein attached to a copy of the complaint was personally served on the defendant J. C. Case in the 3rd Township of this County on April 22. 1892, and that the said defendant has not appeared herein in any manner whatsoever and that the legal time for ~~him~~ to appear herein ~~has~~ to wit: five days has expired now on motion of the defendant it is ordered that the default of the said defendant J. C. Case be and the same is hereby entered. 75
	And on further motion of said plaintiffs judgment is ordered for plaintiff for the amount prayed for in his complaint. 50
	Whereon judgment is here rendered and entered in favor of the plaintiffs Smyth & McCandle and against the defendant J. C. Case for the sum of $ 44 57/100 and for costs of suit taxed at $. 19.85 1.00 2.25
	Total Judgment $. 64 37
	A. Austin Justice of the Peace.
Feb 23	Execution issued

Rec. 29/92 Cert to dock fee $1.00 Ret'n fee

NO. 107

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Woolittle — Plaintiff

vs.

C. W. Cutten — Defendant

Action on a note

Demand, $139.00

Thompson & King — Attorneys for Plaintiff

L. L. Cory & L. W. Poultrin — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 21	Complaint filed and summons issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen Constable)
" 23	Summons returned and filed showing personal service of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on the defendant C. W. Cutten on April 22, 92.
" 25	Defendant through his attorneys Messrs Cory & Poultrin enter a general demurrer (oral) to plaintiff's complaint.
" 29	The above demurrer set for argument at 10 A. M. April 30, 1892 and the parties at interest notified thereof.
" 30	At the hour set the parties at interest are present and by consent of the attorneys for the defendant the above demurrer is this day overruled and defendant by consent is given four days in which to file his answer.
May 4	Defendant this day by his attorneys enter a general denial (oral) to plaintiff's complaint.
" 28	The above action on motion of the attorneys at interest set for June 1st, 92 at 10 A. M.

No. 108

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. Tambe

Plaintiff

vs.

J. S. Bedford

Defendant

Action on a note

Demand, $ 75 43/100 + int. (on note)

Thompson & King

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 22	Complaint filed and summons issued and delivered to J. S. Ackman Constable.
" 23	Summons returned and filed showing personal service of a copy of the summons attached to a copy of the complaint in the original and in the 3rd Township of Fresno County on April 22, 1892.
" 29	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant J. S. Bedford in the 3rd Township of Fresno County on April 22, 1892; and it appearing that said defendant J. S. Bedford has not answered in this action, nor appeared therein in any way or at all, and the legal time therefor to wit: Five days has fully expired now therefore on motion of Messrs Thompson & King defendants defendant is hereby noted and on further motion of said attorneys for the plaintiff, judgment is ordered and entered in favor of the plaintiff A. Tambe and against the defendant J. S. Bedford for the sum of $75 43/100 debt and for the sum of $16 21/100 interest and for the sum of $20.00 attorney's fee and for the sum of $5.95 costs of suit. Justice fee = $3.95 Constable fee 2.00 $5.95 Total judgment $117.59 Done in open Court April 29, 1892. Dante Prince, Justice of the Peace
June 1 1892	Execution issued and delivered to J. S. Ackman Constable.
Nov. 26 "	returned & filed unsatisfied.

Rec'd Justice fees Dec 18, 1893 W. H. Prince

NO. 109

In the Justice's Court of the Third Township,

County of Fresno State of California.

D. S. Hefflefinger — Plaintiff

vs.

Tom Finn — Defendant

Action for Assessment

Demand, $ 48 00

D. S. Hefflefinger Jr.
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 23	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
May 14	Summons returned & filed showing personal service by the officer on the defendant Tom Finn of a copy of the summons attached to a copy of the complaint in the County of Tulare on May 4, 1892.
" "	Writ of attachment returned & filed.
June 18th	It appearing to this court from the return of the officers endorsement on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said Defendant Tom Finn in the County of Tulare on the 4th day of May 1892 and it appearing that said Defendant Tom Finn has not answered in this action nor appeared therein in any way nor at all. And the legal time therefor to-wit twenty days have fully expired. now therefore on motion of Plaintiffs Defendants default is hereby entered. and on further motion of ~~Defendant~~ Plaintiff Judgment is rendered and entered in favor of D. S. Hefflefinger and against the Defendant Tom Finn for the sum of $48 00 debt and for the sum of $16,05 costs of suit Justice costs $8 20 — Total Judgment — $64.05 Constable fee 7,85 — Done in open court June 18th 1892 $16.05 — A M Shannon acting for and at the request of S R Prince Justice of the Peace of said Township
" 18 1892 Sept. 1	Abstract of Judgment issued and certified to Execution issued from the Superior Court of this County returned & filed

110

No. 110

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. H. Wolcott

Plaintiff

vs.

John J. Lavery

Defendant

Action on a note

Demand, $ 11[00] & int at 1% per mo. from Aug. 28, 1891 & $ 20[00] atty fee.

Stanton L. Carter.

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 23	Complaint filed and summons issued and delivered to J. G. Ackman, Constable.

NO. 111

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. H. Wolcott

Plaintiff

vs.

Harry H. Avery

Defendant

Action on a note

Demand, $ 15.95 + int. at 10% per annum from May 27, 91

Stanton L. Carter

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 23	Complaint filed and summons issued and delivered to J. S. Ashman Constable

112

No. 112

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. H. Wolcott

Plaintiff

vs.

Martin Blanchard

Defendant

Action

on a note.

Demand, $ 16 25 + int thereon at 10% per annum from May 29, 1891

Stanton L. Carter

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 23	Complaint filed and summons issued and delivered to J. S. Ashman Constable.

NO. 113

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. H. Wolcott

Plaintiff

vs.

Cornelius Paddock

Defendant

Action on a note

Demand, $ 21[00] + int. at 1% per mo. from Aug. 30, 1891 + $20[00] attys fee.

Stanton L. Carter.

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 23	Complaint filed and Summons issued and delivered to J. B. Ashman Constable.

NO. 114

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. H. Wolcott

Plaintiff

vs.

Charles H. White

Defendant

Action on a note.

Demand, $17.65 & int at 1% per mo. from Sept. 23, 1891 & $20.00 atty fee.

Stanton L. Carter

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 23 1892	Complaint filed and summons issued and delivered to J. G. Ackman Constable.

NO. 115

In the Justice's Court of the Third Township,

County of Fresno State of California.

T. P. Ryan — Plaintiff

vs.

B. F. Scott — Defendant

Action for services

Demand, $ 45 00

T. P. Ryan — Attorney ~~for Plaintiff~~

Williams & Wheeling — Attorney for Defendant

DATE.		PROCEEDINGS.
1892 April	25	Complaint filed and summons issued and delivered to J. B. Ashman Constable.
"	26	Summons returned and filed showing personal service by the officer on the defendant B. F. Scott of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on April 25, 1892.
"	"	Notice to produce copy of account this day filed for defendant by Messrs Williams & Wheeling, attys for defendant.
"	"	A written demurrer this day filed for defendant by his attorneys.
"	29	Copy of itemized account this day filed.
May	2	Copy of itemized account this day filed.
"	10	The above demurrer set for argument on May 13, 1892 at 1.30 P. M. and the parties at interest notified thereof.
"	12	A written answer filed this day by defendant's attorneys.
"	13	By consent of the attorneys for the defendant the above demurrer is this day overruled.

letter of notice attached

116

No. 116

In the Justice's Court of the Third Township,

County of Fresno State of California.

Edward Hoehn

Plaintiff

vs.

C. A. McCoy

Defendant

Action for work & labor done

Demand, $20.00

D. M. Seaton

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
April 25 1892	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Eastman Constable (H. P. Jacobsen deputy)
" 28	Summons returned & filed without service
" "	Writ of attachment returned & filed showing levy.
" "	The above action this day dismissed on motion of plaintiff and costs paid.

Dan'l C. Prince,
Justice of the Peace.

NO. 117

In the Justice's Court of the Third Township,

County of Fresno State of California.

Annie Heeney *Plaintiff*

vs.

A. H. Grady et al *Defendant*

Action for work & labor done

Demand, $ 10⁰⁰

Annie Heeney in person
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 28	Complaint filed and summons issued and delivered to J. S. Ashman Constable (H. J. T. Jackson deputy)

118

No. 118

In the Justice's Court of the Third Township,

County of Fresno State of California.

Lee Brush — Plaintiff

vs.

W. M. Williams — Defendant

Action for work & labor

Demand, $ 235 87

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 April 30	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons & writ of attachment issued and delivered to J. G. Eckman Constable.
May 4	Summons returned & filed showing personal service by the officer on the defendant W. M. Williams of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 3, 1892
" "	Writ of attachment returned & filed showing levy.
" "	Undertaking on release of attachment this day filed.
" 5	The above action set for trial on May 13, 1892 at 2 P.M. and the parties of interest notified thereof.
" 10	An amended complaint this day filed by plaintiff.
" 13	A general demurrer (oral) to plaintiff's amended complaint this day entered.
" 13	At the hour the parties of interest are present & on the trial provide: Wm. M. Craddock, Lot Mitchell and Lee Brush are sworn and testify in behalf of the plaintiff; and S. H. Mattle and W. M. Williams are sworn and testify in behalf of the defendant. The testimony is submitted without argument and by the Court taken under advisement.
" 16	The Court this day finds for the plaintiff. Whereupon judgment is rendered and entered in favor of the plaintiff Lee Brush and against the defendant W. M. Williams for the sum of $139 20/100 debt and for the sum of $34 20/100 costs of suit.
	Justice fee $9.00 — Total judgment $174 60/100.
	Constables fee 25.70 — Done in open Court May 16, 1892
	$34.70
	Dayton C. Lane, Justice of the Peace.
1892 May 23	Execution issued and delivered to J. G. Eckman Constable.
" "	Notice of appeal this day filed.
" "	Undertaking on appeal this day filed & Justice fee paid.

1.20
2.50

NO. 119

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Woolridge — Plaintiff

vs.

Laura C. Headley and M. R. Headley — Defendant

Action for services rendered.

Demand, $ 39 85/100

O. M. Eaton — Attorney for Plaintiff

Austin & Drew — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 3	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Coffman Constable (H. J. T. Jackson deputy)
" 5	Summons returned and filed showing personal service by the officer on the defendant Laura C. Headley of a copy of the summons attached to a copy of the complaint & a copy of the summons on M. R. Headley in the 3rd Township of Fresno County on May 4, 1892.
" 6	Writ of attachment returned & filed showing levy.
" 7	A written demurrer this day filed for defendant by his attorneys Messrs Austin & Drew.

120

NO. 120

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. P. Gosforth — Plaintiff

vs.

Charles Clemens — Defendant

Action for work & labor done.

Demand, $ 35.00

S. R. Hart — Attorney for Plaintiff

Grady & Gallagher — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 3	Complaint filed and summons issued and delivered to J. G. Ackman Constable.
" 17	Summons returned & filed showing personal service by the officer on the defendant Chas Clemens of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 16, 1892.
" 20	Defendant this day through his attorneys Messrs Grady & Gallagher enter a general demurrer (oral) to plaintiff's complaint.
" 26	On motion of plaintiff the above demurrer is taken up for argument and by consent of the attorney for the defendant the demurrer is overruled and defendant given two days in which to answer.
" 28	Defendant this day enters a general denial (oral) to plaintiff's complaint.

NO. 121

In the Justice's Court of the Third Township,

County of Fresno State of California.

C. M. Brown

Plaintiff

vs.

M. V. Mancy

Defendant

Action on a note

Demand, $ 150.00 and cost

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 4	Complaint filed.

122

No. 122

In the Justice's Court of the Third Township,

County of Fresno State of California.

Abraham Paul
Plaintiff

vs.

H. Avachian
Defendant

Action on a note

Demand, $ 25.35 + 15% thereon + $20.00 atty fee

A. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 4	Complaint filed, and affidavit and undertaking for writ of attachment filed. Summons and writ of attachment issued and delivered to J. G. Ackman Constable (H. & P. Jacobsen deputy)

NO. 123

In the Justice's Court of the Third Township,

County of Fresno State of California.

William Helm — Plaintiff

vs.

Manuel Love — Defendant

Action for damage

Demand, $ 50 00

Wm. Helm — Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 7	Complaint filed and summons issued and delivered to Geo. Matthews Constable.
" 9	Summons returned & filed.
" "	On motion of plaintiff the above action is this day dismissed & costs paid.

Dan'l R. Timms
Justice of the Peace.

124

No. 124

In the Justice's Court of the Third Township,

County of Fresno State of California.

G. W. Armitage — Plaintiff

vs.

W. M. Williams — Defendant

Action for grape vines.

Demand, $ 202 00

J. E. Woolette — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 10	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. E. Ackman Constable. (H. J. T. Jacobsen deputy)
" 13	Defendant this day through his attorneys Messrs Strother & Webb, enter a general denial (oral) to plaintiffs complaint.
" "	The above action set for trial on May 21st 92 at 10 A. M. and the parties at interest notified thereof.
" 21	The trial of the above action continued until June 1st, 1892 at 2 P. M.
June 1st	At the hour set the parties at interest are present and the trial proceeds. D. M. Seaton, Esq., appears for the plaintiff and Messrs Webb & Strother for the defendant. G. W. Armitage and Wm. E. Russell are sworn and testify in behalf of the plaintiff; and the defendant testifies in his own behalf. The Court takes the matter under advisement.
" 14	The Court this day finds for the plaintiff. Whereupon judgment is rendered and entered in favor of the plaintiff G. W. Armitage and against the defendant W. M. Williams for the sum of $202 00 debt and for the sum of $8 50 costs of suit. Justice fee $5.00 Constable fee 3.50 $8.50 Total judgment $210 50/100. Done in open Court June 14 92. Dante R. Rowe, Justice of the Peace.
1892 June 15	Defendant granted a stay of execution for five days.
" 22	Notice of appeal filed showing service admitted by D. M. Seaton attorney
" 22	Undertaking on appeal filed

No. 125

In the Justice's Court of the Third Township,

County of Fresno State of California.

Joseph Burns
Plaintiff

vs.

Mrs. Louisa Schell
Defendant

Action on a note and on a/c

Demand, $ 196 24

Stratton & Webb
Attorneys for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 11	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
" 13	Summons returned and filed showing personal service by the officer on the defendant Mrs. Louisa Schell of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 12, 1892.
" 31st	An amended complaint this day filed and summons issued and delivered to J. G. Ashman Constable.
June 6	Summons returned and filed showing personal service on the defendant Louisa Schell in the 2nd Township of Fresno County on June 4, 1892.
" 7	This action is this day dismissed by plaintiff as to the defendant H. Schell.
"	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Louisa Schell in the 3rd Township of Fresno County on May 12, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor to wit: Five days has fully expired, now therefore on motion of the attorneys for the plaintiff, defendant Louisa Schell's default is hereby entered; and on further motion of the said plaintiff's attorneys judgment is rendered and entered in favor of the plaintiff Joseph Burns and against the defendant Louisa Schell for the sum of $196 24 debt and for the sum of $18 25 costs of suit and for the sum of $15 00 atty's fee.
	Total judgment $229 99/100
	Done in open Court June 7, 1892
	Daniel Stratton Justice of the Peace.

(Continued on page 130)

126

NO. 126.

In the Justice's Court of the Third Township,

County of Fresno State of California.

Donahoo Emmons & Co. (a corporation) Plaintiff

vs.

S. H. Saffell Defendant

Action on a/c

Demand, $ 10 35

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 11	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable.
" 12	Summons returned & filed showing personal service by the Officer on the defendant S. H. Saffell of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 11, 1892.
" 25	Writ of attachment returned & filed showing levy.

Rec'd 12 Justice fee $4.50

June 29 in Justice's office

NO. 127

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. M. Smith — Plaintiff

vs.

L. Fagunder — Defendant

Action for services rendered.

Demand, $ 100 00

W. M. Culey — Attorney for Plaintiff

J. H. Daly — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 12	Complaint filed and summons issued and delivered to J. B. Ashman, Constable.
" 14	Summons returned and filed showing personal service by the officer on the defendant L. Fagunder of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 14, 1892.
" 17	Defendant through his attorney J. H. Daly, Esq. enters a general demurrer (oral) to Plaintiff's complaint.
" 30	The above demurrer set for argument on June 7, 1892 at 9 A. M. and the parties at interest notified thereof.
" 7	At the hour set the parties at interest are present the demurrer argued and by the Court taken under advisement. The defendants Demurrer heretofore interposed on the ground that said complaint does not state facts sufficient to constitute an action. being this day submitted to the court and being by the court overruled, to which ruling the Defendant excepts Defendants answers by denying each and every allegation of said plaintiffs complaint both parties herein being present proceeded to trial J M Smith was sworn & testified James Daley was sworn and testified Exhibits A & B presented objected to admitted as evidence and exception noted by Deft Defendant Sworn & testified. after the evidence of Defendant was presented the attorney respectively argued the case whereupon the court took the case under advisement
" 25	After due consideration of the facts The Court ordered adjudged and decreed that Plaintiff J M Smith do have and recover of and from the Defendant herein L. Fagunder the sum of $100 00 debt and the further sum of $10 00 costs of suit. done in open court June 25th 1892 E M Sharpnack Justice of the Peace and Ex-officio Notary Public in and for said County

June 29 Notice of appeal filed
" undertaking on appeal filed
" Bond & Affidavit of attorney filed

No. 128

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. E. Woolcottle — Plaintiff

vs.

Carlton Curtis — Defendant

Action on a note

Demand, $35 30/100 + 20 cts attys fee

D. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 14	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. B. Ashman Constable.
" 17	Summons returned & filed showing personal service by the officer on the defendant Carlton Curtis of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 16/92.
" 21	Writ of attachment returned & filed showing levy.
" 23	The above action this day dismissed on motion of plaintiff and costs paid. Dante R. Prince Justice of the Peace

NO. 129

In the Justice's Court of the Third Township,

County of Fresno State of California.

R. Ruben + P. R. Ruben, partners doing business under the firm name and style of Ruben + Son
Plaintiff

vs.

C. W. Pick + Co.
Defendant

Action for undue weld.

Demand, $ 37 50/100

P. R. Ruben in pro. per.
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 14	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman, Constable.
" 20	Summons returned + filed showing personal service by an officer on the defendant C. W. Pick of a copy of the summons attached to a copy of the complaint in the County of Kern, State of California on May 17, 1892.

Rec'd May 16, 92 from Justice's Office

130

No. 130

In the Justice's Court of the Third Township,

County of Fresno State of California.

Joseph Burns
Plaintiff

vs.

John Chevlin
Defendant

Action for meats sold

Demand, $ 20.90

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 16	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ackman Constable.
" 16	Summons returned and filed showing personal service by the officer on the defendant John Chevlin of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 16, 1892.
" 21	Writ of attachment served, returned & filed.
" 23	On motion of plaintiff the above action is this day dismissed and costs paid.

Daniel R. Prince
Justice of the Peace

Joseph Burns
vs.
Mrs. Louisa Schell

Continued from page 125.

June 7	Execution issued and delivered to J. S. Ackman Constable.
" 8	Execution returned and filed partially satisfied ($86.45)
" "	Writ of attachment returned & filed showing levy.
" "	By agreement no further execution is to issue herein until Sept. 1st, 1892.

NO. 131

In the Justice's Court of the Third Township,

County of Fresno State of California.

L. R. Bowling
Plaintiff

vs.

Wm. L. Malcolmson &
K. Gordon Malcolmson
Defendant

Action for value received and delivered

Demand, $ 194.25

L. R. Bowling
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 17	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons & writ of attachment issued and delivered to J. G. Askman Constable.
" 18	Summons returned & filed.
" "	Writ of attachment returned & filed.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

David R. Price
Justice of the Peace.

132

No. 132

In the Justice's Court of the Third Township,

County of Fresno State of California.

R. B. Johnson — Plaintiff

vs.

J. H. Cleary — Defendant

Action on a note

Demand, $ 125

S. Jackson — Attorney for Plaintiff

Wiley J. Timmins Esq. — Attorney for Defendant

$ 11.50

DATE.	PROCEEDINGS.
1892 May 20	Complaint filed and summons issued and delivered to J. B. Ashman Constable.
" 28	Summons returned & filed showing personal service by the officer on the defendant J. H. Cleary of a copy of the summons attached to a copy of the complaint in the 4th Township of Fresno County on May 27, 1892
June 1st	A written demurrer this day filed for defendant by his attorney Wiley J. Timmins, Esq.
July 8	having argument on Demurrer July 12 1892 at 4 P M
" 26	The above demurrer set for argument on Aug 1st/92 at 1.30 P. M. and the parties interested notified thereof.
Aug. 1st	The above demurrer by consent of defendant is this day overruled and defendant given two days in which to answer.
" 2	A written answer this day filed by defendant.

Rec'd from Wiley Timmins Esq. $11.50

NO. 133

In the Justice's Court of the Third Township,

County of Fresno State of California.

Samuel Agunian Plaintiff

vs.

P. M. Normart Defendant

Action on a note

Demand, $ 20 cts + $20 atty's fee

W. A. Grady & Jas. Gallagher
Attorney for Plaintiff

Attorney for Defendant

$11.50

DATE.	PROCEEDINGS.
1892 May 21	Complaint filed and summons issued and delivered to J. B. Ashman Constable.
" 26	Summons served, returned and filed showing personal service by the officer on the defendant P. M. Normart in the 3rd Township of Fresno County.

No. 134

In the Justice's Court of the Third Township,

County of Fresno State of California.

F. M. Roessler

Plaintiff

vs.

C. Craig

Defendant

Action for grape vine

Demand, $ 24 40

F. M. Roessler

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 24	Complaint filed and summons issued and delivered to J. S. Ackman Constable.
" 25	Summons returned and filed showing personal service by the officer on the defendant C. Craig of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 24, 1892.
" 31	The above action this day dismissed on motion of plaintiff and costs paid.

Dante R Prince,
Justice of the Peace.

Continued from page 142

after due deliberation thereon the court finds for the Plaintiff on the cause of action set out in his complaint herein and renders Judgment for said Plaintiff on said cause of action and against said Defendant for the sum of $110 cts and costs

and the court further finds for the Defendant on the cause of action set out in his cross complaint herein. and renders Judgment for said Defendant and against said Plaintiff on said cause of action for the sum of $100 cts and costs of suit

Judgment Rendered in open court this 9th day of July 1892

A H Shannon acting for and at the request of Dante R Prince Justice of the Peace of said Township

Recd from defendant $18.20 Aug 24 1892 W D Crosby

Justice fees $7.00
Constable fees 2.00
$11.00

July 1892 15 Memorandum of costs this day filed.

NO. 135

In the Justice's Court of the Third Township,

County of Fresno State of California.

E. L. Austin
Plaintiff

vs.

John Fetterplace and Mrs. J. Fetterplace
Defendant

Action for goods, wares & merchandise.

Demand, $ 61 20

E. L. Austin
Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 25	Complaint filed and summons issued and delivered to J. G. Ashman Constable (H. P. T. Jacobs deputy)
" 26	Summons returned and filed showing personal service by the officer on the defendant Mrs. J. Fetterplace of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 24, 1892
Dec. 8	It appearing to this Court from the return of the officer endorsed on the original summons that a true copy of said summons attached to a copy of the complaint was personally served by the said officer on the said defendant Mrs. J. Fetterplace in the 3rd Township of Fresno County on May 24, 1892; and it appearing that said defendant has not answered in this action nor appeared therein in any way nor at all and the legal time therefor (Five days) has fully expired; now therefor on motion of the said E. L. Austin the defendant Mrs J. Fetterplace is this day entered; and on further motion of the said E. L. Austin, judgment is ordered and entered in favor of the plaintiff E. L. Austin and against the defendant Mrs. J. Fetterplace for the sum of $61 20/100 debt and for the sum of $6 95/100 costs of suit.
	Justice fee $3.95 Total judgment $68 15/100
	Constable fee 3.00 Clerk in open Court Dec. 8, 1892
	6.95
	Chas. R. Sims, Justice of the Peace.
1892 Dec. 9	Execution issued and delivered to J. G. Ashman Constable (S. S. Crutcher deputy)
1893 Jany 5	Execution returned unsatisfied and filed Costs pd by Pltff

136

No. 136

In the Justice's Court of the Third Township,

County of Fresno State of California.

N. A. Gilbert

Plaintiff

vs.

Horace Munn and Frank Abbott, Partners under the firm name of Munn & Abbott

Defendant

Action for rent

Demand, $ 188 53

U. M. Seaton

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 25	Complaint filed and summons issued and delivered to J. G. Ashman Constable (H. J. T. Jacobsen deputy)
" 26	Summons returned and filed showing personal service by the officer on the defendant Frank Abbott of a copy of the summons attached to a copy of the complaint in the 3rd Township of Fresno County on May 24, 1892.
" 31	A written demurrer this day filed for defendant Frank Abbott by his attorney Frank H. Short, Esq.

NO. 137

In the Justice's Court of The Third Township,

County of Fresno State of California.

T. H. Cund — Plaintiff

vs.

Grant Shores — Defendant

Action holden on for a buggy

Demand, $ 160

T. H. Cund Jr.
Attorney for ~~Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 25	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. G. Ashman Constable
" "	Summons served, returned and filed, showing service in the 3rd Township of Fresno County.
" 26	Writ of attachment returned & filed showing levy.
" "	On motion of plaintiff the above action is this day dismissed and costs paid.

Charles A. Prince
Justice of the Peace

138

NO. 138

In the Justice's Court of the Third Township,

County of Fresno State of California.

Yuen Loy — Plaintiff

vs.

Hip Kee & J. C. Klyar — Defendant

Action unlawful detainer and damages

Demand, $ 299.00

S. J. Hinds — Attorney for Plaintiff

Church & Walker — Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 25	Complaint filed and summons issued and delivered to J. G. Ashman Constable.
" -	Summons served, returned and filed. Said summons was served in the 3rd Township of Fresno County.
" 28	A written demurrer this day filed for the defendant by his attorneys Messrs Church & Walker.
June 10	The above demurrer set for argument at 10 A. M. June 14, 1892 & the parties at interest notified thereof.
" 14	At the hour set for the argument of the demurrer herein the plaintiff moves the Court to file an amended complaint. Motion allowed.
" "	The plaintiff files an amended complaint & the Court issued an alias summons on motion of plaintiff.
June 18	Summons issued this day.
" 20	Attorneys Church & Walker enter a general demurrer (oral) for def'ts Hip Kee.
Aug. 26	Summons served on defendant J. C. Klyar in the County of Santa Cruz on Aug. 24, 1892 and this day returned and filed.
Sept 13	On motion of defendant J. C. Klyar, the Court grants defendant two days further time in which to make appearance
" 14	Defendant J. C. Klyar this day enters a general denial (oral) for himself in the above entitled cause of action.
" 16	Defendant Hip Kee this day enters a general denial (oral) to plaintiff's complaint.
Nov. 28	The above action set for trial on Dec. 5, 1892 at 1 P. M. and the parties at interest notified thereof.
Dec. 5	A written demurrer this day filed for defendants Hip Kee & J. C. Klyar.
Dec. 5	A subpoena this day issued, served, returned & filed.
" "	The trial of the above action continued until Dec. 6, 1892 at 10 A. M.
" 6	At the hour set for trial the parties at interest are present but it is discovered that there is no file indorsed of a demurrer which is at once taken up argued & sustained and the plaintiff given one day in which to amend his complaint; & witnesses ordered back at 2 P. M. Dec. 8, 1892
Dec. 7	Plaintiff files a second amended complaint this day.
" 8	Defendants file an answer to 2nd amended complaint this day

(Continued on next page)

Jan 11, 1893 Execution returned and filed

NO. 139

In the Justice's Court of the Third Township,

County of Fresno State of California.

Fresno Shasta Manufacturing Company — Plaintiff

vs.

J. W. Gould. — Defendant

Action Stated account

Demand, $115 84/100 + legal int from Dec 15, 92

Wiley J. Tinnin — Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 25	Complaint filed.

Yuen Loy
vs.
Hip Kee + J. C. Clyar

} Continued from opposite page.

Dec. 8 At the hour set for trial the parties at interest are present but the said trial is continued until Dec. 9, 92 @ 1:30 P.M.

Dec. 9 The parties at interest are present at the hour set and the trial proceeds: On motion the witnesses are sworn + put under the rule. Yuen Loy, Ah Jim and Ah Foo testify in behalf of the plaintiff; and J. C. Clyar, Hip Kee, L. A. Benn, A. Hall + W. H. Ryan testify in behalf of the defense. Chin Yee, Fong Sing + Charley Jim were sworn in during the trial as Chinese interpreters. After argument by Counsel the Court takes the matter under advisement.

12 The Court this day finds for the defendants. Whereupon judgment is rendered and entered in favor of the defendants Hip Kee and J. C. Clyar and against the plaintiff Yuen Loy for the sum of Fifty two + 95/100 Dollars costs of suit.

Justice's fee $18.75
Constable's fee 9.00
$27.75

Done in open Court Dec. 12, 1892
Danl K. Linn
Justice of the Peace.

Dec 14 92 Memorandum of costs this day filed.

" 19 The above judgment this day satisfied in full by plaintiff.
Danl K. Linn
J. P.

Jan 11, 1893 Execution returned and filed
Wholly unsatisfied.

140

NO. 140

In the Justice's Court of the Third Township,

County of Fresno State of California.

J. Cal Ewing and A. J. Eaton partners under the firm name of the Occidental Watch Company — Plaintiff

vs.

J. Tynan and A. Tambe — Defendant

Action Claim and Delivery of Personal Property.

Demand, $ 2

Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 26	Complaint in Claim and Delivery of Personal Property this day filed. Summons issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy) Undertaking in Claim and Delivery of Personal Property this day filed.
" 31	A written demurrer this day filed for the defendants by their attorney E. D. Edwards, Esq.
June 2	Original summons returned & filed showing service.
" "	Affidavit in claim and delivery of personal property and order of seizure this day filed.
" 3	The above demurrer set for argument at 1 P. M. June 4, 1892.
" "	At the hour set the defendant's attorney is present and by consent of said defendant's attorney, the demurrer is overruled and the said defendant given five days in which to answer.
" 8	Defendant's attorney E. D. Edwards, Esq. enters a general denial to plaintiff's complaint.
June 15	On motion of Plaintiff it is by the court ordered that the case be set for trial June 25th 1892 at 1.30 P. M.
" 20	at request of Plaintiff and consented to in writing by E D Edwards attorney for Defts The above case is hereby continued indefinitely
July 12	The above action set for trial on July 15, 1892 at 3 P. M.
" 15	Defendant this day files an amended answer.
" "	The trial of the above action by consent postponed until July 16, 1892 at 3 P. M.
" 16	The trial of the above action continued by consent until Aug 4, 1892 at 9 A. M.
Aug 4	At the hour set the parties at interest are present and they mutually agree in open Court that the following are the facts in the above entitled cause of action. It is admitted that plaintiff is the owner of the property in dispute — that plaintiff employed one H. J. Carr to sell said property on commission — that said

(Continued on page 143)

NO. 141

In the Justice's Court of the Third Township,

County of Fresno State of California.

S. B. Goodman
Plaintiff

vs.

W. Burnett
Defendant

Action assigned account

Demand, $ 15 75

J. E. Eberlitt
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 27	Complaint and affidavit and undertaking for writ of attachment this day filed. Summons and writ of attachment issued and delivered to J. S. Ashman Constable (H. J. T. Jacobsen deputy)
June 3	Summons returned and filed showing personal service by the officer on the defendant W. Burnett whose real name is W. S. Barnett of a copy of the Summons attached to a copy of the complaint in

142

NO. 142

In the Justice's Court of the Third Township,

County of Fresno State of California.

S. F. Cull
Plaintiff

vs.

Fresno Canal & Irrigation Company
Defendant

Action for damages

Demand, $ 299

W. A. Brady & Jos. Gallagher
Attorney for Plaintiff

Geo. E. Church
Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 28	Complaint filed and summons issued and delivered to Geo. A. Duncan.
" "	Summons served returned & filed showing personal service by the said Geo. A. Duncan on the defendant in the 3rd Township of Fresno County.
June 1st	A written demurrer this day filed for defendant by the attorney Geo. E. Church, Esq.
" 10	The above demurrer set for argument on June 14, 1892 at 9 A.M. & the parties at interest notified thereof.
" 14	Defendant's demurrer this day overruled and defendant given two days in which to answer.
" 16	Defendant this day enters a general denial (oral) to plaintiff's complaint.
" 18	Upon motion of Geo E Church the above entitled action as hereby set for trial Thursday June 23 1892 at 10 A.M.
" 23	on motion of Geo. E. Church the case is continued to June 29th 1892 at 9 A.M.
" 29	The hour for trial having arrived the parties to the action were present & the case was called
" "	Cross complaint filed. General denial entered to the cross complaint of Defendant
	S. F. Cull Sworn & Testified. Objected to question referring to legal possession of Lena Overruled. Objected to value of it was admitted that the canal that broke belongs to the Fresno Canal Co. mare Overruled. J. F. Cull Sworn & testified Objected to how planned at the value of damage being $60. Overruled Ernest Clothier Sworn & Testified Prosecute rests for defence John McMullen sworn and testified J. H. Huff & L. B. Church sworn & Testified Clothier recalled how did that mare compare with the balance of mr Culls horses as to valuation Obj as not being rebuttal sustained. Plaintiff Excepts
	The case was then closed after the counsel heard the arguments of counsel respectively the matter was taken under advisement Continued P 154

Nov. 21, 1892 Plaintiff granted a ten days stay of

NO. 143

In the Justice's Court of the Third Township,

County of Fresno State of California.

G. R. Taylor

Plaintiff

vs.

A. H. Stanforth and
C. C. Chapman

Defendant

Action on a note

Demand, $ 105.00 + int at 10% per annum from July 25, 1888.

H. M. Seaton
Attorney for Plaintiff

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 28	Complaint filed and summons issued and delivered to J. G. Ashman Constable (H. J. T. Jacobsen deputy)
	J. Cal Ewing etc. vs. J. Tynan et al. } Continued from page 140.
	H. J. Carr boarded at defendants' hotel, his bill amounting to $104.25/100 – that the said H. J. Carr died at the said hotel – that defendants had charge of the said property on the property of their guest – holding the same for safe keeping and claiming a lien thereon: Now defendants claim that they have a lien on said property for the board bill due by the said H. J. Carr; and plaintiffs claim that said property is not subject to a lien and that they are entitled to the possession thereof.
	It is also agreed that the above action be submitted on briefs – all of said briefs to be filed within twenty days in the following order, to-wit: Plaintiffs ten days to file first brief – Defendants five days to file his; & Plaintiffs five days in which to reply.
Dec 12	Plaintiffs' first brief this day filed.
" 16	Defendants brief this day filed.
Nov 19	The Court this day finds for the defendants. Wherefore judgment is ordered and entered in favor of the defendants and against the plaintiffs for the return of the personal property mentioned in plaintiffs' complaint or for the payment of $104.25/100 in lieu thereof, and for $12.25/100 costs of suit. Done in Open Court Nov. 19, 1892. D. Carter Palmer Justice of the Peace.

Justice's fee = $10.25
Constable's fee = 2.00
12.25

Nov. 21, 92 Plaintiff granted a ten days stay of execution.
Dec. 1, 92 Plaintiff granted a further stay of five days.
Reid Justice Fees
$2.00

144

NO. 144

2 gn JD

In the Justice's Court of the Third Township,

County of Fresno State of California.

A. H. Cummings
Plaintiff

vs.

R. A. Rose
Defendant

Action for money loaned

Demand, $ 300

Attorney ~~for Plaintiff~~

Attorney for Defendant

DATE.	PROCEEDINGS.
1892 May 28	Complaint filed and summons issued and delivered to J. G. Ashman Constable.
June 10	Summons returned & filed showing personal service by the deputy sheriff of Alameda County on the defendant R. A. Rose of a copy of the summons attached to a copy of the complaint on June 8, 1892.
June 22	J E Doolittle appearing for Defendant herein enters an oral Demurrer on the grounds that the complaint herein does not state facts sufficient to constitute a cause of action
1893 May 1	On motion of plaintiff hearing of above demurrer set for May 5, 1893 9:30 a.m.
" 5	Above demurrer submitted without argument and overruled & answer ordered at once
"	
" 5	Defendant answers orally denying each and every allegation in the complaint.

1.2.0
2.0
2.0
0.5
7.0
1.0

3.6.0